#### WEDNESDAY, FEBRUARY 15, 1995

#### NINTH LEGISLATIVE DAY

The House met at 2:00 p.m. and was called to order by Mr. Speaker Naifeh.

The proceedings were opened with prayer by Representative McAfee.

Representative McAfee led the House in the Pledge of Allegiance to the Flag.  $\,$ 

#### ROLL CALL

Representatives present were: Armstrong Arriola, Beavers, Bell, Bird, Birtle, Bowers, Boyer, Bragg, Brooks, Broom, Buck, Burchett, Byrd, Callicott, Cantrell, Chumney, Clabugh, Coffey, Cole (Carter), Cole (Deyr), Cross, Curtiss, Davidson, Davis, Deberry J, Deberry L, Duer, Dunn, Eckles, Fitzhugh, Ford, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteam Harvell, Hargrove, Hassell, Head, Herron, Hicks, Huskey, Jackson, Jones R (Shelby), Jones S, Jones U (Shelby), Joyce, Kent, Kernell, Kerr, Kisber, Langster, Levis, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Napier, Neston, Odom, Patton, Peach, Phelan, Phillips, Phinon, Pruit, Purcell, Ramsey, Ringshar, Ridgewy, Rigsby, Kinks, Richie, Roach, Robinson, Sharp, Shirley, Roader, Malley, Mest, Mestmoreland, White, Mintson, Williams (Union), Williams (Williams (Will

#### MESSAGE FROM THE SENATE February 14, 1995

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 34, 35, 36, 37 and 38; all for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

# SIGNED

## February 15, 1995

The Speaker signed the following: Senate Joint Resolution(s) No(s). 34, 35, 36, 37, and 38.

#### ENROLLED BILLS February 15, 1995

The following bill(s) have been compared, enrolled, and are ready for the signature(s) of the Speaker(s): House Bill(s) No(s). 5; House Joint Resolution(s) No(s). 52, 55, 57, and 59; also House Resolution(s) No 11.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

### SIGNED

## February 15, 1995

The Speaker signed the following: House Bill(s) No(s). 5; House Joint Resolution(s) No(s). 52, 55, 57 and 59; also, House Resolution(s) No(s). 11.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

#### ENROLLED BILLS February 15, 1995

The following bill(s) have been compared, enrolled, and are ready for the signature(s) of the Speaker(s): House Joint Resolution(s) No(s). 27, 36, 37, 38, 40, 45, 46, 48, 49, 51, 60, and 63; and House Resolution(s) No(s). 8 and 9.

BETTY KAY FRANCIS. Chief Engrossing Clerk.

#### SIGNED

## February 15, 1995

The Speaker signed the following: House Joint Resolution(s) No(s). 27, 36, 37, 38, 40, 45, 46, 48, 49, 51, 60, and 63; also, House Resolution(s) No(s), 8 and 9.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

## SPONSORS ADDED

Under Rule No. 43, the following members was/were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

**House Joint Resolution No. 14:** Rep(s). West, McDonald, Shirley, Haley, Miller, Williams (Union), and Hassell as prime sponsor(s).

House Bill No. 18: Rep(s). West, McDonald, Shirley, Haley, Miller, Williams (Union), and Hassell as prime sponsor(s).

House Bill No. 20: Rep(s). West, Miller, Williams (Union), and Hassell as prime sponsor(s).

House Bill No. 22: Rep(s). West, McDonald, Shirley, Haley, Williams (Union) and Hassell as prime sponsor(s).

- House Bill No. 23: Rep(s). West, McDonald, Shirley, Haley, Williams (Union). and Hassell as prime sponsor(s).
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- House Bill No. 47: Rep(s). West, McDonald, Shirley, Haley, Miller, Williams (Union), and Hassell as prime sponsor(s).
- House Bill No. 125: Rep(s). West, McDonald, Shirley, Haley,
  Miller, Williams (Union) and Hassell, as prime sponsor(s).
- House Bill No. 128: Rep(s). West, McDonald, Shirley, Haley, Williams (Union), and Hassell as prime sponsor(s).
- House Bill No. 131: Rep(s). West, McDonald, Shirley, Haley, Williams (Union), and Hassell as prime sponsor(s).
- House Bill No. 132: Rep(s). West, McDonald, Shirley, Haley, Miller, Williams (Union), and Hassell as prime sponsor(s).
- House Bill No. 642: Rep(s). West, McDonald, Shirley, Haley, Miller, Williams (Union), and Hassell as prime sponsor(s).
  - House Bill No. 643: Rep(s). Ritchie as prime sponsor(s).
  - House Bill No. 832: Rep(s). DeBerry L. as prime sponsor(s).
  - House Bill No. 946: Rep(s). Ramsev as prime sponsor(s).

#### INTRODUCTION OF RESOLUTIONS

On motion, pursuant to Rule No. 17, the resolution(s) listed was/were introduced and referred to the appropriate Committee:

House Joint Resolution No. 78 -- General Assembly, Directed Studies -- Requests department of environment and conservation to study costs, feasibility and state government's role in restoration and continued preservation of Readyville Mill. by \*Buck, \*Bragg.

## Conservation and Environment Committee

\* House Joint Resolution No. 80 -- General Assembly, Studies -Directs select oversight committee on education to review, examine and evaluate needs of disabled students in public schools, impact of required services, and formulation of alternative ways to provide \*McKee, \*McDonald, \*Pinion, \*Towns, \*Bell, \*Pavis, \*Curtiss, \*Whitson, \*Stulie, \*Brown, \*Boyer, \*Patton, \*McKillan.

#### Education Committee

\* House Joint Resolution No. 81 -- General Assembly, Studies -- Creates special joint committee to review specialized health care needs of disabled students in public schools and examine and evaluate alternative ways to provide personnel or services that will reduce or eliminate involvement of classroom teachers. by "Davidson,

\*Winningham, \*Ramsey, \*McKee, \*Pinion, \*Towns, \*Bell, \*Davis, \*Curtiss, \*Stulce, \*Whitson, \*Brown, \*Boyer, \*Patton, \*McMillan.

Education Committee

#### RESOLUTIONS

Pursuant to Rule No. 17, the following resolution(s) was/were introduced and place on the consent calendar for Thursday, February 16. 1995.

House Resolution No. 14 -- Memorials, Sports -- Coach Dennis Roach, State Representative. by \*Williams (Union).

House Joint Resolution No. 75 -- Memorials, Academic Achievement -- Jennifer Santoro, Rhodes Scholar, by \*Head, \*McMillan.

House Joint Resolution No. 76 -- Memorials, Public Service -- Avon Williams Rollins, Sr. by \*Armstrong, \*DeBerry J, \*Miller, \*DeBerry L, \*Towns, \*Jones R (Shelby), \*Langster, \*Brooks, \*Bowers, \*Jones U (Shelby), \*Prown.

House Joint Resolution No. 77 -- Memorials, Academic Achievement -- Debra Joyce, recipient of national collegiate education award. by \*Armstrong, \*Pruitt, \*Turner (Shelby), \*Miller, \*Towns, \*Bowers, \*Jones U (Shelby), \*Ritchie.

House Joint Resolution No. 79 -- Memorials, Death -- Ralph J. Harris. by \*Fowlkes.

House Joint Resolution No. 86 -- Memorials, Public Service --Honors WSMV-TV of Nashville for "Unlicensed to Kill" series on enforcement of DUI laws. by \*Robinson.

#### INTRODUCTION OF BILLS

On motion, the following bills were introduced and passed first consideration:

\*House Bill No. 1116 -- Tort Liability -- Establishes conditions and methods by which person injured as result of law enforcement officer pusuing suspect may recover for such losses; establishes "Pursuit Injuries Compensation Pund" for such purpose. Amends TCA Title 29, Chapters 13, 20, 34; Title 55, Chapter 8. by 'Herron.

House Bill No. 1117 -- Tennessee Higher Education Commission --Continues Austin Peay State University rather than Austin Peay State College under board of regents control. Amends TCA Title 49, Chapter 7, Part 2, by \*Davidson.

House Bill No. 1118 -- Education, Higher -- Allows Tennessee student assistance corporation to guarantee loans under Higher Education Act of 1965, for nonresident students or their parents if such loans are made through Tennessee lender, by "Davidson.

- House Bill No. 1119 -- Judicial Officers -- Revises schedule of fees clerks of probate courts are authorized to charge. Amends TCA Section 8-21-401. by \*Kent.
- House Bill No. 1120 -- Board of Regents -- Extends term of Governor Buford Ellington's commissioner of education on state board of recents for six more years. Amends TCA 49-8-201. by \*White.
- House Bill No. 1121 -- Sentencing -- Provides that sentence of imprisonment for life for first degree murder and as repeat violent offender means for remainder of such person's natural life without parole eligibility; deletee present sentence of imprisonment for life without possibility of parole. Amends TCA Title 39, Chapter 13, Part 2; 40-35-120; Title 40, Chapter 35, Part 5. by Yenable.
- House Bill No. 1122 -- Correction, Dept. of -- Requires commissioner of correction to develop classification system for immates that gives primary weight to the severity of prisoner's offense. Amends TCA Title 41. by 'Venable.
- House Bill No. 1123 -- Election Laws -- Restricts PAC contributions to candidate or elected official or respective campaign committees. Amends TCA Title 2, Chapter 10. by \*Venable.
- House Bill No. 1124 -- Election Laws -- Lowers threshold for reporting contributions to \$50.00 from \$100\$, requires disclosure of occupation and employer of contributor. Amends TCA Title 2, Chapter 10. by Yenable.
- Rouse Bill No. 1125 -- Motor Vehicles, Titling and Registration -- Provides for issuance of special license plates for disabled drivers or placards for disabled passengers to persons experiencing difficulty in walking and seeking treatment solely by prayer in by Christian Science practitioner. Amends TCA Title 55, Chapter 21. by Venable.
- House Bill No. 1126 -- Interior Designers -- Provides that no person be referred to as registered interior designer unless such person is registered; present requirement requires references to interior designers to be to limited to designers who are registered. Amends TCA Title 62, Chapter 2. by \*Sytd. \*Napier, \*Kent. \*West, Jr.
- House Bill No. 1127 -- Taxes -- Removes requirement that property used to provide cellular telephone, radio common carrier, or long distance service is valued using unit rule of appraisal, and instead subjects it to valuation as other locally assessed property to be assessed by public service commission. Amends TCA Section 67-5-1032. by "West. \*Kent.
- \*\*House Bill No. 1128 -- Museums -- Directs University of Memphis to develop five-year plan for renovation and restoration of chucalissa museum. by \*Jones U (Shelby), \*Chumney, \*DeBerry L, \*Towns, \*Brooks, \*Turner, \*Byrd, \*DeBerry J, \*Bowers, \*Kernell, \*Cantrell, \*Miller, \*Bird.

- House Bill No. 1129 -- Apportionment, Legislative -- Moves precinct 08 from district 1 to district 3. Amends TCA Section 3-1-103. by \*Venable. \*Ramsev. \*Westmoreland.
- \*House Bill No. 1130 -- Highway Signs -- "Ellis Thomas Memorial Bridge," Brawley Creek, S.R. 99, Bradyville. Amends TCA by \*Buck.
- House Bill No. 1131 -- Gordonsville -- Subject to local approval, removes prohibition on sale of intoxicating liquors. Amends Chapter 280, Acts of 1909. by \*Buck.
- \*House Bill No. 1132 -- TennCare -- Requires employers to notify bureau of TennCare of employee who denies health insurance coverage through employer in certain circumstances. Amends TCA Title 71. by \*Buck.
- House Bill No. 1133 -- Financial Disclosure -- Enacts "Tennessee Legislative Ethics Act of 1995." Amends TCA Title 2, Title 3 and Title 8. by \*Buck.
- \*House Bill No. 1134 -- Land, Agricultural and Open Spaces --Retains greenhelt classification for property which decreases below 15 acre minimum if decrease in acreage is due to eminent domain. Amends TCA Title 67, (hapter 5, Part 10. by \*Callicott.
- Mouse Bill No. 1135 -- Williamson County -- Increases number of general sessions judges from one to two. Amends Chapter 424 of the Private Acts of 1939, as amended by Chapter 186 of the Private Acts of 1957, Chapter 261 of the Private Acts of 1976, and all other acts amendatory thereto. by \*Callicott.
- House Bill No. 1136 -- Pharmacy -- Requires containers of prescription drugs to state generic name of the drug actually dispensed as well as brand name of drug for which substitution made. Amends TCA Title 63, Chapter 10, Part 2 and Title 63, Chapter 10, Part 2. by 'Hassell.
- House Bill No. 1137 -- Lobbying, Lobbyists -- Requires lobbyist to report all expenditures made to influence public officials. Amends TCA Title 3, Chapter 6. by \*Hassell, \*Stamps.
- Bouse Bill No. 1138 -- Utilities, Utility Districts -- Allows natural gas utility districts which serve customers in Unicoi County to grant, through resolution adopted by district's board of directors, funding for chambers of commerce and economic and community organizations. Amends TCA Section 7-82-304. by Whitson.
- "House Bill No. 1139 Pensions and Retirement Benefits Authorizes all members of TCRS except persons employed and participating pursuant to TCA Title 8, Chapter 35, Part 2, to claim peacetime military service under certain circumstances. Amends TCA 8-34-605(c) by \*Mhitson
- House Bill No. 1140 -- Pensions and Retirement Benefits tuthorizes creation of separate public safety group by local governments under TCRS under certain circumstances. Amends TCA Title 8, Chapters 34 through 37. by \*Whitson.
- House Bill No. 1141 -- Education -- Changes method by which pro-ration of BEP funds is calculated in case of LEAs with 2 percent

- or greater year-to-year growth. Amends TCA Section 49-3-354. by \*Head, \*Bragg, \*Davidson, \*Callicott, \*McMillan, \*McDonald, \*Curtiss, \*Williams (Williamson), \*Eckles.
- House Bill No. 1142 DUI/DWI Offenses -- Establishes administrative procedure for immediate revocation of driver license upon arrest for DUI. Amends TCA Title 55, Chapter 10. by \*Joyce.
- House Bill No. 1143 -- Constitutional Conventions -- Calls Constitutional Convention concerning term limits for members of general assembly, by \*Joyce.
- House Bill No. 1144 -- Constitutional Conventions -- Calls Constitutional Convention concerning term limits for members of Congress. by \*Joyce.
- \*House Bill No. 1145 -- Custody and Support -- Supersedes certain department of human services child support guidelines; extends date by which supreme court may promulgate rules to replace child support guidelines. Amends TOA Section 36-5-101. by \*Robinson.
- \*\*House Bill No. 1146 -- Motor Vehicles, Titling and Registration -- Permits issuance of Purple Heart special license plates to qualified disabled veterans in lieu of disabled veteran special plates. Amends TCA Section 55-4-237 and Section 55-4-239. by \*\*Rohinson\*
- House Bill No. 1147 -- Chiropractors -- Authorizes board of chiropractic examiners to set the hours of continuing education required for license renewal; requires continuing education courses to be approved by board before board will accept same for license renewal. Amends TCA Section 63-4-112. by 'Stamps.
- \*House Bill No. 1148 -- Highway Signs -- Trinity Music City U.S.A., 165 and Vietnam Veterans Boulevard (State Route 386). by \*Stamps.
- House Bill No. 1149 -- Tort Liability -- Clarifies that third parties can file indemnity actions against health care provider for reimbursement of benefits paid to medical malpractice claimant; authorizes third party to intervene if necessary to protect and enforce rights to extent of benefits paid. Amends TCA Section 29-26-119. by \*Powlkes.
- Health Care Services Act." Amends TCA Title 63, Chapter 6. by \*Armstrong.
- House Bill No. 1151 -- Public Contracts -- Requires state construction contractors to provide health insurance for their employees to be awarded state contract. Amends TCA Title 12, Chapter 4, Part 1. by \*Armstrong, \*Turner, \*Jones R (Shelby), \*Miller, \*\*DeBerry L, \*\*Towns, \*Brooks, \*Pruitt.
- Mouse Bill No. 1152 -- Public Contracts -- Establishes credit on state contracts for state construction contractors who provide health care for their employees; requires state building commission or commissioner of transportation to determine amount prior to issuing invitation to bid. Amends TCA Title 12, Chapter 4, Part 1. by

- \*Armstrong, \*Ritchie, \*Turner, \*Jones R (Shelby), \*Miller, \*Bowers, \*DeBerry L, \*Towns, \*Brooks, \*Pruitt.
- House Bill No. 1153 Health, Dept, of Clarifies that certain boards are under division of health related boards for purpose of enforcing civil penalties imposed by such boards. Amends TCA Title 68, Chapter 1. by \*Armstrong, \*Ritchie, \*Turner, \*Jones R (Shelby), \*Miller, \*DeBerry L, \*DeBerry J, \*Towns, \*Brooks, \*Pruitt, \*Bowers.
- House Bill No. 1154 -- Labor -- Enacts "Tennessee Minimum Wage Law"; sets minimum hourly wage at \$5.00 per hour. by \*Armstrong, \*Miller, \*Towns, \*Turner, \*Jones S, \*Langster, \*Pruitt.
- House Bill No. 1155 -- Consumer Protection -- Raises requirement that health club have operated under same ownership in order to receive certificate of exemption from five to seven years. Amends TCA Title 47, Chapter 18, Part 3. by \*Armstrong, \*Turner, \*Prmitt.
- House Bill No. 1156 -- Unemployment Compensation -- Increases wages which can be earned in week without affecting amount of unemployment compensation applicant can receive. Amends TCA Title 50, Chapter 7. by \*Armstrong, \*Turner, \*Langster, \*Jones S. \*Pruitt.
- House Bill No. 1157 -- Teachers -- Gives 25 percent tuition discount to children of Tennessee teachers retired with 25 or more years of creditable service as teacher. Amends TCA Section 49-7-119. bv \*Tindell. \*Armstrong. \*Minnincham.
- House Bill No. 1158 -- Alcoholic Offenses -- Authorizes city or county to suspend or revoke beer permit or impose civil penalty rather than automatic revocation for failure to pay taxes. Amends TCA 575-104. by \*Jones R (Shelby).
- House Bill No. 1159 Juvenile Offenders -- Creates youthful offender system as separate division within department of youth development; provides for placement of certain juvenile offenders within such system. Amends TCA Titles 3, 4, 37, 39, 40. Titles 3, 4, 37, 39, and 40. by \*Brown, \*Jones U (Shelby), \*Armstrong, \*DeBerry L, \*Jones R (Shelby), \*Turner, \*DeBerry J.
- \*House Bill No. 1160 Taxes, Sales Expands scope of special sales tax allocation for Memphis sports authority to be operable if Canadian Football League (CFL) franchise is started. Amends TCA Title 67, Chapter 6. by \*Turner, \*Kent, \*Eyrd, \*Miller, \*Deberry L.
- Mouse Bill No. 1161 -- General Assembly -- Increases eligible retirement age to 60; requires five years of service for eligibility; limits pension to 75 percent of average final compensation; requires forfeiture of person for conviction of felony arising out of state employment. Amends TCA Title 8, Chapter 35 and Chapter 36. by \*Duer, \*Newton, \*Stamps.
- House Bill No. 1162 -- Surveyors -- Revises qualifications for eligibility to register as professional land surveyor effective July 1, 2001. Amends TCA 62-18-109. by \*Garrett, \*Boyer.

- House Bill No. 1163 -- Railroads -- Revises fees of public service commission for inspection, control, and supervision of business, service and rates of railroads. Amends TCA Title 65, Chapter 3. Part 2. bv \*Pavis.
- House Bill No. 1164 -- Railroads -- Changes from 250 to 300 yards distance from railroad crossings on city streets at which trains must blow whistle. Amends TCA Title 65. Chaoter 18. by \*Venable.
- House Bill No. 1165 -- Railroads -- Provides that if reasonably accessible public railroad crossing is not available at location where land on both sides of railroad track is owned by same proprietor, a crossing, if consistent with economy and public safety, shall be made and kept at expense of corporation for use of proprietor. Amends TCA Title 65, Chapter 18. by \*Venable.
- Rouse Bill No. 1166 -- Tort Liability -- Grants immunity, except for gross negligence, to owner of real property for injury to trespasser on such property if trespasser was under influence of alcohol or drugs at the time. Amends TCA Title 29, Chapter 34, Part 2. bv \*Nilliams (Nilliamson).
- Rouse Bill No. 1167 -- Fire Prevention and Investigation -Requires publishing notice in newspaper of general circulation,
  instead of mailing to property owners of record in district,
  description of boundaries of fire tax district to be created and map
  description of boundaries of line tax district to be created and map
  notice to be given while in consecutive weeks. Amends TOA Title 5,
  Chapter 17, by \*Davis
- House Bill No. 1168 -- Television, Cable -- Provides for use of utility poles owned by electric cooperatives and municipal electric systems by communications companies. by \*West.
- House Bill No. 1169 -- Telecommunications -- Provides for use of utility poles owned by electric cooperatives by communications companies. by \*Davidson.
- House Bill No. 1170 -- Tort Liability -- Limits "non-economic damages" in a tort suit to \$250,000. Amends TCA Title 29. by \*Newton.
- House Bill No. 1171 -- Civil Procedure -- Adds "Application of Collateral Benefits Act." Amends TCA Title 29. by \*Gunnels.
- Bouse Bill No. 1172 -- Education -- Extends time for establishing maximum size of popularly elected boards of education to July 1, 1994, from January 1, 1993. Amends TCA 492-201. Amends TCA Section 49-2-201, to extend the time for establishing the maximum size of a popularly elected board of education. by "Windle.
- House Bill No. 1173 -- Public Buildings -- Revises Public Building Authority law to permit certain operating contracts. Amends TCA Title 12, Chapter 10. by \*Boyer.
- House Bill No. 1174 -- Summer County -- Subject to local approval, changes office of county attorney to office of law director, to serve six year term initially, and four year terms thereafter. Amends Chapter 95, Private Acts of 1973, as amended. by \*Stamps.

- House Bill No. 1175 -- Taxes, Assessment -- Permits landowner to apply for classification of land as wetlands. Amends TCA Title 67, Chapter 5. by \*Walley. \*Phelan.
- House Bill No. 1176 -- Employees, Employers -- Deletes required maternity leave. Amends TCA Section 4-21-408. by \*Arriola.
- House Bill No. 1177 -- Mortgages -- Establishes requirements as to disbursement of funds involved in real estate purchase or loan transaction. by \*West.
- House Bill No. 1178 -- Insurance, Life -- Authorizes domestic life insurance companies to loan securities in certain circumstances; changes certain reporting requirements. Amends TCA Title 56. by \*Shinehart.
- Bouse Bill No. 1179 -- Insurance Companies, Agents, Brokers -Requires each insurer doing business in more than one state and others
  as required by commissioner to file with NAIA annual and quarterly
  financial statement information in computer readable format. Amends
  TCA Title 56, Chapters 1, 2, 10 and 44, by \*Rhinehart.
- \*House Bill No. 1180 -- Industrial Development -- Redefines project" under industrial development corporation to include buildings and facilities for production of electricity. Amends TCA Title 7, Chapter 53. by \*Rhinehart.
- Rouse Bill No. 1181 -- Correctional Programs -- Gives Temnessee rehabilitation and inmate labor board authority to purchase supplies, equipment and services, except for ongoing personnel, for delivery and production of prison industry products same as it can now do with raw materials. Amends TCA Section 41-22-406. by \*Rhinehart, \*McKee, \*Phinon, \*Windle, \*DeBerry L.
- House Bill No. 1182 -- Regional Authorities -- Enacts "Municipal Port Authority Act," in Memphis. by \*Jones R (Shelby), \*Miller, \*Jones U (Shelby), \*DeBerry L, \*Byrd.
- House Bill No. 1183 -- Gambling -- Expands power and jurisdiction of racing commission to include all aspects of casin gambling and gambling boats. Amends Title 4, Chapter 36, Part 3, TCA. by \*Jones R (Shelby), \*Miller, \*Turner, \*DeBerry L.
- Mouse Bill No. 1184 -- Gambling -- Redefines "lottery" for purposes of constitutional prohibition; provides that gaming activities not lottery are prohibited by gambling statutes unless otherwise licensed by this act, defines and prohibits "chain letters" and "pyramid clubs." Amends TCA Title 39, Chapter 17, Part 5. by "Jones R (Shelly), "Miller, "Turner, "beBerry L.
- House Bill No. 1185 -- Motor Vehicles, Titling and Registration -- Requires motor vehicles to have two license plates attached to the vehicle; one to front and one to rear. Amends TCA Section 55-4-109 and 110. by \*Jones R (Shelby), \*Bowers, \*Turner, \*DeEerry L.
- House Bill No. 1186 -- Appropriations -- Appropriates \$9
  million to fund I40 East interchange, Shelby County. CAVEAT:

- Statutorily required appropriation language does not appear in caption. by \*Jones R (Shelby), \*Bowers, \*Turner, \*DeBerry L.
- House Bill No. 1187 -- Fire Prevention and Investigation -- Establishes regional fire academy. Shelby County. Amends TCR Title 68, Chapter 102, Part 1. by \*Jones R (Shelby), \*Miller, \*Jones U (Shelby), \*DeBerry L, \*Chunney.
- House Bill No. 1188 -- Alcoholic Beverages -- Redefines Class B county to include counties governed by charter form of government for beer permit purposes. Amends TCA Section 57-5-103. by \*Ritchie, \*Tindell. \*Bover. \*Punn. \*Burchett. \*Bittle. \*Armstrong.
- \*House Bill No. 1189 -- Highway Signs -- "Senator Edward C. Blank II Memorial Bridge," certain bridge in Columbia. by \*Napier.
- House Bill No. 1190 -- County Government -- Gives counties authority, by resolution, to exercise certain powers granted to all or certain municipalities by general law. Amends TCA Title 5, Chapter 1, Part 1. by \*Callicott, \*Fowlkes, \*Pinion, \*Curtiss, \*Ford, \*Patton, \*Hicks.
- House Bill No. 1191 -- County Government -- Allows counties to appropriate funds for any public purpose. Amends TCA Section 5-9-101. by \*Callicott, \*Fowlkes, \*Pinion, \*Curtiss, \*Ford, \*Beavers, \*Patton, \*Hicks.
- House Bill No. 1192 -- Public Funds and Financing -- Removes requirement that county legislative body must approve appropriation to nonprofit organization which is not charitable organization at two consecutive regularly scheduled meetings. Amends TCA 5-9-109. by \*Kisber, \*Fowlkes, \*Callicott, \*Finion, \*Curtiss, \*Ford, \*Patton, \*Bicks.
- **House Bill No. 1193** -- Salaries and Benefits -- Increases five to seven number of members serving on prevailing wage commission; requires prevailing wage rate for building construction to be determined annually by commission. Amends TCA Title 12, Chapter 4, Part 4. by \*Kernell.
- \*House Bill No. 1194 Juvenile Offenders -- Authorizes juvenile courts to detain juvenile offenders, charged with unlawful possession of handgum or carrying weapon, even if juvenile has no previous record of offenses. Amends TCA Section 37-114. by \*Purcell, \*Turner, \*Bragg, \*Givens, \*Whitson, \*DeBerry L, \*Armstrong, \*Chunmey, \*Duer.
- \*House Bill No. 1195 -- Health -- Establishes central immunization registry; provides free vaccines for children, born after 1/1/96, through first 24 months of life. Amends TCA Title 37, Chapter 10, Part 4. by \*Purcell.
- \*House Bill No. 1196 -- Children -- Increases number of family resource centers eligible to receive state grants. Increases, from five to ten, number of counties participating in healthy start pilot project. Amends TCA Section 37-3-703 and Section 49-2-115. by \*Purcell.

- \*House Bill No. 1197 -- Taxes, Sales -- Includes cities in definition of "premiere type tourist resort" is such cities meet original requirements and are contiguous to another premiere type tourist resort for sales tax distribution purposes. Amends TCA Title 67, Chapter 6. by \*Huxkey.
- House Bill No. 1198 -- Education, Higher -- Enacts "Tennessee Baccalaureate Education System Trust Act." Amends TCA Title 49, Chapter 7. by \*Byrd.
- \*\*House Bill No. 1199 -- Human Rights -- Prohibits discrimination by association whose employees are eligible for membership in TCRS based on need based financial assistance for secondary education or private secondary school education which offers need-based financial assistance to diversify its student body. Amends TCR Title 4, Chapter 21. by \*Byrd.
- House Bill No. 1200 -- Evidence -- Makes defendant's genetic predisposition towards or familial history of violence or criminal conduct unavailable as defense to prosecution; clarifies that prior history alone is insufficient to make use of force immediately necessary. Amends TCA Title 39, Chapter 11. by \*Newton.
- House Bill No. 1201 -- Regional Authorities -- Provides for selection of regional planning commission for planning region consisting of single county. Amends TCA Section 13-3101. by "Fowlkes, "Callicott, "Pinion, "Curtiss, "Ford, "Beavers, "Patton, "Hicks.
- House Bill No. 1202 Taxes, Privilege -- Exempts disabled individuals who are not practicing or actively employed from the occupations privilege tax. Amends TCA. by \*Fowlkes.
- \*House Bill No. 1203 -- Juries and Jurors -- Entitles grand jury foreman and secretary or clerk of grand jury, if any, to minimum \$20.00 compensation for each day such person performs required duties. Amends TCA Title 22, Chapter 4, Part 1. by \*Fowlkes.
- Mouse Bill No. 1204 -- Education -- Requires that alternative schools be established by local boards of education by July 1, 1997 and makes attendance in such schools mandatory for students in grades one through twelve who have been expelled. Amends TCA Section 49-6-3402. by 'Davidson, 'Winningham, 'McKee, 'McConald, 'Plnion, 'Bell, 'Davis, 'Stulce, 'Patton, 'Winitson, 'McKillan.

  House Bill No. 1205 -- Education -- Extends penalties to
- House Bill No. 1205 -- Education -- Extends penalties to parents of habitually truant children in grades K6 to parents of children in grades K-12. Amends TCA Section 49-6-3007(f). by \*Ramsey, \*Davidson, \*McKee, \*McDonald, \*Pinion, \*Towns, \*Bell, \*Davis, \*Stulce, \*Boyer, \*Whitson, \*Patton, \*McMillan.
- House Bill No. 1206 -- Teachers -- Allows teachers to apply for retirement upon reaching age 60 or upon completion of 25 years of creditable service. Amends TCA Title 8, Chapter 36. by \*Winningham, \*Davidson, \*McDonald, \*Pinion, \*Towns, \*Bell, \*Davis, \*Curtiss, \*Patton, \*Winitson, \*Brown, \*McMillar
- House Bill No. 1207 -- Pensions and Retirement Benefits --Revises average final compensation; limits out-of-state service for teachers; increases retirement multiplier from 1.5 to 1.6 percent

- times years of service for both teachers and general state employees. CAVEAT: Purports to amend TCA 8-34-106, which does not exist; caption does not reference general state employees. Amends TCA Title 8, Chapters 34, 36. by "Winningham, "Davidson, "McKee, "McDonald, "Pinion, "Forms, "Bell, "Davis, "Curtiss, "Patton".
- Bouse Bill No. 1208 -- Education, State Board of -- Requires superintendent of education to keep telephone number, address and social security number of any licensed employee confidential if so requested. Amends TCA Section 49-2-301(f). by \*Jones U (Shelby), \*Brown.
- House Bill No. 1209 Education Requires school boards and labor unions to include agreement procedures for final and binding arbitration in agreements that cover terms of employment. Amends TCA 495-512(0) by \*Kernell.
- Bouse Bill No. 1210 -- Education -- Directs state board of education to authorize review of Tennessee value added assessment system to determine validity and reliability; to include reports from 41-93 through 7-1-96; results to be reported to special oversight committee on education. Amends TCA Section 49-1-603. by "Pavis.
- House Bill No. 1211 -- Education -- Expands duties and responsibilities of select oversight committee on education to include such other programs, initiatives or topics for study as the members deem appropriate to further the cause of public education. Amends TCA Section 3-15-301(b). by \*Davidson.
- House Bill No. 1212 -- Medicaid and Medicare -- Requires department of health to prepare actuarial studies of any capitated programs. Amends TCA Title 71, Chapter 5. by \*Jones R (Shelby).
- \*House Bill No. 1213 -- Insurance, Health, Accident -- Mandates insurance coverage for high dose chemotherapy in cases of breast cancer, multiple mycloma, and ovarian cancer, if deemed appropriate by attending physician. Amends TCA Titles 56, 68, and 71. by \*Jackson.
- House Bill No. 1214 -- Children, Employment of -- Deletes requirements that employee or minor must have 30 minute unpaid rest break or meal period if scheduled to work six hours consecutively. Amends TCA Section 50-2-103(d) and Section 50-5-115. by \*Burchett.
- \*House Bill No. 1215 -- Education -- Authorizes suspension of school students based on off campus criminal behavior; requires one year minimum expulsion for possession of weapon on campus. Amends TCA Section 49-6-3401. by \*McMillan, \*Stulce.
- House Bill No. 1216 -- Teachers -- Allows local education agency to provide for additional benefits for teachers injured due to assault or attack while in course of employment over and above workers' compensation benefits presently granted. Amends TCA 49-5-714. by "McMillan, "Winningham, "Davidson, "Pinion, "Towns, "Whitson, "Bell, "Davis, "Curtiss, "Stulce, "Sover, "Patton, "Brown.
- House Bill No. 1217 -- Insurance, Health, Accident -- Deletes requirement that directors or board members of nonprofit hospital service corporations serve without pay and that certain contract

between hospital and at least one board member be competitively bid. TCA Section  $56-29-105\,(d)$ . by \*Rhinehart.

- House Bill No. 1218 -- Insurance, Health, Accident -- Includes, rather than excludes, nonprofit hospital and medical service organization as member insurer under Tennessee Life and Health Insurance Guaranty Association Act. Amends TCA Section 56-12-203. by \*\*Nhinehart.
- House Bill No. 1219 -- Sentencing -- Removes sentencing court's jurisdiction over felon sentenced to local jail; prohibits such felon from filing application for probation. Amends TCA Title 40, Chapter 35. by \*Stamps.
- \*Mouse Bill No. 1220 -- Probation -- Restricts eligibility for probation in criminal cases; establishes state registry of persons on probation supervision; repeals provisions authorizing expunction of criminal records under certain circumstances. Amends TCA Section 40-35-313. Repeals TCA Title 40, Chapter 32. by \*Ritchie.
- House Bill No. 1221 -- Interest Rates -- Removes exemption in Retail Installment Sales Act from time price differential maximum charge for motor vehicles and mobile homes. Amends TCA 47-11-102. by "Yindell.
- Bouse Bill No. 1222 -- Marriage -- Redefines "marital privilege" in civil or criminal proceedings. No married person may refuse to testify solely because such person's spouse is party. Confidential communications between married persons privileged and inadmissible if either spouse objects. Amends TCA 24-1-201. by \*Buck.
- \*House Bill No. 1223 -- Smoking -- Clarifies Prevention of Youth Access to Tobacco Act of 1994, to prohibit minors from also purchasing cigarette papers; although sign that must be posted includes prohibition of sale of smoking paraphernalia as well as tobacco products to minora, present law does not prohibit sale of 17, Part 15. by \*Burchett products. Amende TcA fiele 39, Chapter 17, Part 15.
- House Bill No. 1224 -- Public Printing -- Requires state public records and documents to be printed on alkaline paper effective January 1, 2000. Amends TCA Title 12. Chapter 7, by \*Burchett.
- Bouse Bill No. 1225 -- Fire Prevention and Investigation --Establishes fire service and codes enforcement academy in department of commerce and insurance; provides for construction of new training academy facility. Amends TCA Title 68, Chapter 102. Repeals TCA 49-8-701. by \*Bragg.
- House Bill No. 1226 -- Education, Higher -- Provides 25 percent higher education tuition discount for children of all Tennessee taxpayers; authorizes corresponding tuition fee increase to cover cost. Amends TCA Tile 49, Chapter 7, Part 1. by \*Brag.
- House Bill No. 1227 -- AIDS -- Directs commissioner of health to devise and implement public education and prevention campaign to combat rise of HIV and AIDS among African American children, youth,

and young adults. Amends TCA Title 68, Chapter 1, Part 1. by \*Towns, \*Brown, \*Bowers, \*Miller.

- House Bill No. 1228 -- Education -- Requires annual publication of student dropout rates by schools and local school systems; imposes certain consequences upon schools and local school systems with high rates of African American student dropouts. Amends TCA Title 49. by \*Brown. \*Willer.
- House Bill No. 1229 -- Tennessee Foundation Program --Increases state funding available to local school systems for purpose of operating alternative schools for suspended or expelled students. Amends TOA 49-3-359, 49-6-3402, bw \*Deberry J.
- House Bill No. 1230 -- Health, Dept. of -- Creates office of innority health in order to decrease health care disparities between minority and non minority populations in Tennessee. Amends TCA Title 68, Chapter 1, Part 1. by \*Armstrong.
- House Bill No. 1231 -- Children -- Authorizes county legislative bodies to establish and enforce curriew hours for children. Amends TCA Title 37, Chapter 10. by \*DeBerry J.
- House Bill No. 1232 -- Education, Dept. of -- Authorizes department to establish pilot demonstration projection on student peer mediation in order alleviate violence in public schools. Amends TCA Title 49, Chapter 1, Part 1. by "Miller.

#### SENATE BILLS TRANSMITTED

- On motion, the Senate Bills listed below, transmitted to the House, were held on the Clerk's desk pending third consideration of the companion House Bill:
- Senate Bill No. 11 -- Highway Signs "Lewis Memorial Bridge," Red River, U.S. 41-A, Clarksville. by \*Rice, \*Kyle.
- \*Senate Bill No. 44 -- Highway Signs -- "Thurston Farrar Memorial Bridge," S.R. 82, Bedford County. by \*Womack, \*Womack, \*Kyle.
- \*Senate Bill No. 50 -- Highway Signs-- "Walter Hill Veterans Memorial Bridge," Rutherford County, by \*Womack, \*Kyle.
- \*Senate Bill No. 55 -- Alcoholic Beverages -- Extends temporary litter grant tax on soft drinks and beer for four years. Amends TCA 67-4-402. 57-5-201. bv \*Hamilton.
- \*Senate Bill No. 57 -- Bvidence -- Permits biological specimens statutorily required for DNA testing for sexual offenses to be sent directly to TBI by agency or entity collecting such specimens; present law requires specimens be sent by court or commissioner or chief administrative officer of local jail. Amends TCA 40-35-321. by \*Gilbert.
- Senate Bill No. 71 -- Highway Signs -- "Mayo Wix Memorial Highway," S.R. 52, Summer County. by \*Wright, \*Rochelle, \*Haynes, \*Harper, \*Momack.

\*Senate Bill No. 95 -- Wildlife Resources Commission -- Adds two additional members to commission to be appointed by speakers of house and senate to serve two year terms, may succeed themselves. Amends TCR 70-1-201, 204. by \*Hamiltonian\*

#### HOUSE BILLS ON SECOND CONSIDERATION

On motion, bills listed below passed second consideration and were referred by the Speaker to Committee or held on the Clerk's desk as noted:

House Bill No. 1035 -- Annexation -- House State and Local Government Committee

House Bill No. 1036 -- Solid Waste Disposal -- House State

\*House Bill No. 1037 -- Courts, Supreme Court of Tennessee --House Judiciary Committee

\*House Bill No. 1038 -- Taxes, Business -- House Commerce

House Bill No. 1039 -- Notary Public -- House Judiciary

House Bill No. 1040 -- Handicapped Persons -- House Transportation Committee

House Bill No. 1041 -- Criminal Procedure -- House Judiciary Committee

House Bill No. 1042 -- Law Enforcement -- House Judiciary Committee

House Bill No. 1043  $\ \ \ \$  Taxes, Income  $\ \ \ \ \ \$  House Finance, Ways and Means Committee

House Bill No. 1044 -- Pardons and Paroles -- House Judiciary Committee

House Bill No. 1045 -- Criminal Offenses -- House Judiciary
Committee
House Bill No. 1046 -- Motor Vehicles, Titling and Registration

House Bill No. 1047 -- Traffic Safety -- House Transportation

House Commerce Committee

Committee

House Bill No. 1048 -- Taxes. Income -- House Finance. Ways

and Means Committee

House Bill No. 1049 -- Annexation -- House State and Local

Government Committee

House Bill No. 1050 -- Environmental Preservation -- House Conservation and Environment Committee

- House Bill No. 1051 -- Smoking -- House State and Local Government Committee
- \*House Bill No. 1052 -- Election Laws -- House State and Local Government Committee
- House Bill No. 1053 -- Medicine, Practice of  $\mbox{ }$  -- House Health and Human Resources Committee
- House Bill No. 1054 -- Mental Health and Mental Retardation, Dept. of -- Local Bill Held on House Desk
- House Bill No. 1056 -- DUI/DWI Offenses -- House Judiciary Committee
- House Bill No. 1058 -- Solid Waste Disposal -- House State and Local Government Committee
- House Bill No. 1059 -- Local Education Agency -- House Education Committee
- \*House Bill No. 1060 -- Motor Vehicles, Titling and Registration -- House Transportation Committee House Bill No. 1061 -- Insurance Companies, Agents, Brokers --
- House Commerce Committee

  House Bill No. 1062 -- Motor Vehicles, Titling and Registration
- -- House Transportation Committee

  House Bill No. 1063 -- Holidays -- House State and Local
- House Bill No. 1064 -- Agriculture -- House Agriculture

Government Committee

Committee

- House Bill No. 1065 -- DUI/DWI Offenses -- House Judiciary
- Committee
- House Bill No. 1066 -- Education -- House Judiciary Committee
- House Bill No. 1067 -- Annexation -- House State and Local Government Committee
- House Bill No. 1068 -- Taxes, Real Property -- House State and Local Government Committee
- $House\ Bill\ No.\ 1069\ \ --\ \ Securities\ \ --\ \ House\ Finance,\ Ways\ and\ Means\ Committee$
- House Bill No. 1070 -- Juvenile Offenders -- House Judiciary Committee

House Bill No. 1071 -- Paternity -- House Judiciary Committee House Bill No. 1072 -- Paternity -- House Judiciary Committee \*House Bill No. 1073 -- Law Enforcement -- House State and Local Government Committee House Bill No. 1074 -- Capitol -- House State and Local Government Committee House Bill No. 1075 -- General Assembly -- House State and Local Government Committee House Bill No. 1076 -- Consumer Protection -- House Consumer and Employees Affairs Committee House Bill No. 1077 -- Judicial Districts -- House Judiciary Committee House Bill No. 1078 -- Public Defenders -- House Judiciary Committee House Bill No. 1079 -- Alcoholic Beverages -- House State and Local Government Committee House Bill No. 1080 -- Licenses -- House Health and Human Resources Committee House Bill No. 1081 -- Women -- House State and Local Government Committee House Bill No. 1082 -- Criminal Offenses -- House Judiciary Committee House Bill No. 1083 -- Campaigns -- House State and Local Government Committee House Bill No. 1084 -- Drugs -- House Judiciary Committee House Bill No. 1085 -- Cemeteries -- Local Bill Held on House Desk House Bill No. 1086 -- Cemeteries -- House Commerce Committee House Bill No. 1087 -- Human Services, Dept. of -- House Government Operations Committee House Bill No. 1088 -- Labor -- House State and Local Government Committee House Bill No. 1089 -- Criminal Offenses -- House Judiciary Committee House Bill No. 1090 -- Sexual Offenses -- House Judiciary Committee

Committee

\*House Bill No. 1091 -- Traffic Safety -- House Judiciary

- \*House Bill No. 1092 -- Water Pollution -- House Conservation and Environment Committee
- House Bill No. 1093 -- Banks and Financial Institutions -- House Commerce Committee
- House Bill No. 1095 -- Private Investigators -- House Commerce Committee
- House Bill No. 1096 -- Appropriations -- House Transportation Committee
- House Bill No. 1098 -- Criminal Offenses -- House Judiciary Committee
  - House Bill No. 1099 -- Safety -- House Commerce Committee
- House Bill No. 1100 -- Municipal Government -- House State and Local Government Committee
- House Bill No. 1101 -- Attorneys at Law -- House Judiciary Committee
- House Bill No. 1102 -- Criminal Procedure -- House Judiciary Committee
- House Bill No. 1103 -- Purchasing -- House State and Local Government Committee
- ${\bf House\ Bill\ No.\ 1105}$  -- Public Funds and Financing -- House Finance, Ways and Means Committee
- House Bill No. 1106 -- Banks and Financial Institutions -- House Finance, Ways and Means Committee
- House Bill No. 1107 -- Custody and Support -- House Judiciary Committee
- \*House Bill No. 1108 -- Motor Vehicles, Titling and Registration -- House Transportation Committee
- \*House Bill No. 1109 -- Mental Health and Mental Retardation, Dept. of -- House Desk
- House Bill No. 1110 -- Drug and Alcohol Rehabilitation --
- House Bill No. 1111 -- Children -- Local Bill Held on House Desk

House Bill No. 1113 -- Drugs -- House Health and Human Resources Committee

House Bill No. 1114 -- Election Laws -- House State and Local

House Bill No. 1115 -- Mental Illness -- House Judiciary Committee

#### REPORTS OF SELECT COMMITTEES

#### REPORT OF THE SELECT COMMITTEE ON RULES

The Select Committee on Rules reports that we have met and recommend the following for adoption as the Permanent Rules of the House of Representatives of the 99th General Assembly.

[In the rule proposals, deletions to the current rule are indicated by strike through text; additions are in bold italics text.]

#### RULES OF ORDER

#### of the

## HOUSE OF REPRESENTATIVES

#### State of Tennessee

#### Ninety-ninth General Assembly

- 1. SPEAKER TO CONVENE HOUSE. At the hour to which the House shall have been adjourned, the Speaker shall proceed to the dais and announce that the House is in session in accordance with the adjournment motion previously made. The Speaker shall then call the House to order and, after appropriate opening ceremonies, call for the regular order of business, beginning with a roll call to determine that a quorum is present. A quorum of the House of Representatives shall be as defined by the Constitution of the State of Temmessee:

  "Not less than 11 continues quorum members to the continues hall number may adjourn from day to day, and may be authorized, by law, to compel the attendance of absent members." Article 2, Section 11, Constitution of the State of Temmessee.
- SPEAKER TO PRESERVE ORDER. The Speaker shall preserve order and decorum and may speak to points of order in preference to other members. The Speaker will have the authority to set the guidelines for decorum.
- OTHER DUTIES OF SPEAKER. The Speaker shall supervise the preparation of the daily Journal and shall have general direction of the Representative Chamber in accordance with the authority granted under the Rules of the House.

- 4. ORDER IN GALLERY OR LOBBY. In case of any disturbance or disorderly conduct in the gallery or lobby, the Speaker or the Chair of the Committee of the Whole shall have power to order the same to be cleared.
- 5. FORMS OF QUESTIONS. Questions shall be put directly in this form: "Representatives in favor of then state the proposition) say 'Aye' and, after the affirmative will be expressed, "Representatives who are opposed, say 'Mo'." If the Speaker doubt, or a roll call be requested, as provided in Rule 29, a roll call vote shall be taken.
- 6. SPEAKER TO APPOINT COMMITTESS. The Speaker shall appoint all committees, unless otherwise directed by the House, in which case they shall be elected by a vote of the House; and if, upon the first ballot, there he no election, a second ballot shall be taken, in which a plurality of votes shall elect. The Speaker shall, in appointing committees, give consideration to the abilities, preferences and seniority of the members and the political party representation in the House. No member shall be appointed to serve on more than two (2) standing committees, exclusive of the Committee on Calendar and Rules
- 7. SPRAKER TO APPOINT COMMITTEE OFFICERS. The Speaker shall appoint one (1) chair, one (1) vice-chair, and one (1) secretary for each of the standing committees and for the Committee on Calendar and Rules. Any officer of any committee with the approval of the Speaker, may choose to be a member of only one (1) committee. In appointing committee officers, the Speaker shall consider the abilities, preferences and seniority of members and the political party representation in the Blouse
- 8. SPEAKER PRO TEMPORE. A Speaker pro tempore of the House of Representatives shall be elected by the membership of the House during the organizational session of the General Assembly. The Speaker pro tempore shall serve until a successor is chosen or until the expiration of such speaker's term, whichever shall first occur. The Speaker pro tempore shall act during the absence of the Speaker, except that the Speaker shall have the right to name any member to perform the duties of the Chair for a period not to exceed one (1) legislative day. In the absence of the Speaker and the Speaker prot tempore, it shall be the duty of the Clerk to call the House to order and call the roll for the vacancy of the office of Speaker, through death or resignation, or in the event of disability of the Speaker, the Speaker prot tempore shall conduct the necessary business of the House only until such time as an election can be held in the House to fill the vacancy
- 9. CHIEF CLERK. There shall be a Chief Clerk of the House of Representatives who shall be appointed by the Speaker and who shall serve until a successor is chosen. The Chief Clerk shall keep open the Office of the Clerk during and between essions of the General Assembly on a permanent basis and shall transact efficiently such business as is assigned or required by law or efficiently such business as is assigned or required by law or Clerk shall take an oath to support the Constitution of the United States and of the State of Tennessee and to truly and

faithfully discharge the duties of the office to the best of such clerk's knowledge and ability.

- 10. APPOINTMENT OF HOUSE OFFICERS. The Speaker shall appoint such employees as clerks, sergeant-at-arms, pages, and other House employees as are necessary for the proper transaction of the business of the House.
- WOTES REQUIRED FOR CHOICE. In all votes other than those specifically provided for herein, a majority of those present and voting shall be necessary to a choice, a quorum being present.
- 12. ORDER OF BUSINESS. The reading of the daily Journal for the preceding day shall not be required; provided, however, that upon appropriate motions, the House may direct that the same be read. Any corrections in the Journal shall be suggested by individual members under the order of Unfinished Business.

After appropriate opening ceremonies, the Speaker shall call for the following:

- (1) Roll Call
- (2) Personal Orders
- (3) Introduction of Resolutions
- (4) Senate Joint Resolutions
- (Congratulatory, Memorializing)
  (5) Resolutions Lying Over
- (6) Introduction of Bills
- (7) Senate Bills on First
- Consideration
- (8) Senate Bills on Second Consideration
- (9) House Bills on Second
- Consideration
- (10) Petitions and Memorials (11) Reports from Standing Committees
- (12) Reports from Select Committees
- (13) Calendars (14) Unfinished Business
- (14) Uniinished Busines (15) Announcements
- (16) Roll Call
- 13. SPECIAL ORDER. It shall require an affirmative vote by two-thirds (2/3) of the members to which the House is entitled under the Constitution to set a special order of business; however, when a motion has been made to set for a special order any bill, resolution, or motion, the motion having failed for lack of a two-thirds majority but having received a majority vote of the members of the House present, it shall be in order, upon call and and third of the constitution of the House a rule or order fixing a time for the consideration of said bill or measure. It shall require a majority vote of the members of the House to postpone any special order set.
- 14. NUMBER OF SPECIAL ORDERS PERMISSIBLE WITHOUT RE-REFERRAL. After a bill has been scheduled for third

consideration, the sponsor of any bill or resolution may before the House request another date for third consideration, and the bill or resolution shall be so scheduled, however, the sponsor of any bill or resolution shall only have the right to make such a request three (3) times on any particular bill or resolution. If the House does not consider the bill or resolution on or before the fourth such scheduled time, the bill or resolution shall be automatically re-referred to the Committee on Calendar and Rules.

- 15. PETITIONS AND MEMORIALS BRIEF STATEMENT. Before any petition or memorial addressed to the House shall be received and read at the table, a brief statement of the contents of the petition or memorial shall be filed with the Chief Clerk.
- 16. SYSTEM ENTRY CODE. Before any bill or resolution can be accepted by the Chief Clerk for the purpose of pre-filing and assigning a number, or any committee amendment or any other amendment in the first degree can be accepted for the purpose of attaching it to a bill, the document in question shall have attacking it to a bill, the document in question shall have Services. Services.
- 17. RESOLUTIONS. Resolutions shall be pre-filed with the following day and referral to the sport of the Chief Clerk by 4:00 p.m. for introduction the following day and referral to the appropriate standing committee. Rowever all emegrated and memorial lining or the first legislative day thereafter and placed on the next Consent Calendar in accordance with Rule No. 50

Joint resolutions calling for joint conventions shall be referred by the Speaker to a committee consisting of the Speaker, the Majority Leader and the Minority Leader for immediate consideration. The committee shall report its recommendations concerning the proposed joint convention to the House.

18. DUTIES OF MINNERS TOWARD SPEAKER. No member shall be recognized by the Speaker unless the member addresses the chair from such member's desk. In all cases the member who shall first rise shall be entitled to speak first; but when two (2) or more members shall rise at the same time, the Speaker shall name the member who shall speak first.

When any member is about to speak in debate or deliver any matter whatever to the House, such member shall rise, and respectfully address the chair and await the notice of the Speaker. After recognition by the Speaker, the member shall proceed with making remarks which strictly conform to the question under debate and avoid all personalities.

19. TRANSGERSSION OF RULES BY MEMBER. Any member who, in speaking or otherwise, transgresses the Rules of the House, the Speaker shall, or any other member may, call such transgressing member to order, in which case the member so called to order shall immediately sit down, unless permitted to explain, and the Kouse shall, if appealed to, decide the case without debate. If the decision be in favor of the member called to order, such member shall be permitted to proceed, without leave of the House.

If otherwise, such member shall not be permitted to proceed. In case any member objects and continues, without leave of the House, and if the case require it, such member shall be liable to the censure of the House.

- 20. ATENDANCE OF MEMBERS REQUIRED. No member shall be absent from service in the House without leave first obtained, and in case a less number than the quorum of the House shall convene, the Speaker is hereby authorized to send the Sergeant-at-Arms, or any other person or persons, for any or all absent members. This shall be done at the expense of such absentees, respectively, unless such excuse for nonattendance shall be refigient as the House, when a quorum is convened, shall deem refigient.
- 21. TIME LIMITS OF DEBATE. Each member shall be limited to fifteen (15) minutes in such member's opening remarks and shall be limited to ten (10) minutes in rejoinder in discussion upon the floor of the House, EXCEPT by a majority of the members present, the House may increase or decrease the limitations of time herein set out for debate on a particular bill, resolution
- 22. PERSONS ADMITTED ON PLOOR OF MOUSE. The Sergeant-atms shall admit no person into the House Chamber thirty (30) minutes prior to and during any session except members of the General Assembly, employees of the House as designated by the Speaker of the House, employees of the Senate as designated by the Speaker of the House, employees of the Senate as designated by the Speaker of the House, employees of the Office of Legal Services employees of the Office of House, remove the Committee staff, as designated by the Speaker of the House, members of the Capitol Hill Press Corps as designated by the Charlot of the Corps and approved by the Speaker of the House, and the Chaplain and the Physician of the Day. All visitors and preserve practal have access to the gallery so long as they preserve practal.
- 23. EVERY MOTION MUST BE SECONDED. Every motion must be seconded by some member of the House other than the proponent of the motion and upon failure of a second, the Speaker shall declare the motion failed for lack of a second.
- 24. MOTION REDUCED TO WRITING. The Speaker may require any motion to be reduced to writing and placed on the desk of the Clerk.
- 25. WHAT MOTION DEBATABLE. All motions shall be subject to debate except the following motions:
  - (1) To adjourn
  - (2) Lay on the table
  - (3) For the previous question

Provided, however, the proponent of any motion sought to be tabled shall have the right to be heard after the motion to table is made and before said motion to table is put to vote.

- 26. PRECEDENCE OF MOTIONS. When any question or motion is under debate in the House, the following motions only shall be in order and may be entertained by the Speaker:
  - (1) To adjourn
  - (2) To lay on the table
  - (3) For the previous question (4) To postpone to a day certain
  - (5) To commit or recommit
  - (6) To amend

Each of said motions shall take precedence in the order set out herein.

- 27. NO MOTION TO ADJOURN UNTIL FUTTHER BUSINESS. When a a motion to adjourn shall have been made and failed, the Speaker shall not entertain another motion to adjourn until some business has been transacted since the last motion to adjourn was voted upon.
- 28. WHEN MOTION NOT TO BE ENTERTAINED BY SPEAKER. After the Speaker has submitted a question or after there has been a roll call or count of the House, the Speaker shall not entertain or recognize a member on a point of personal privilege or otherwise until a decision of the House has been declared by the Chair. At any other time, a member may rise to a point of personal privilege but such member shall confine such remarks to questions affecting the rights, reputation and conduct of the member in such member is official capacity, and shall not address remarks to any question dermane to substantive matters being considered.
- DEMAND OF ROLL CALL. Any question or motion (except final passage of a bill) may be put to the House by a voice vote at the discretion of the Speaker; provided, however, that, as required by the Constitution of Tennessee, any five (5) members of the House may require a roll call of the membership of the House and said members desiring a roll call shall indicate their desire by raising their hands. All votes taken upon final passage on third consideration of a general bill and all votes taken on demand by any five (5) members as provided for shall be taken by the electronic roll call system, provided that the Speaker may require the calling of the names of the members in alphabetical order and each member shall then answer "Aye" or "No" when such member's name is called by the Clerk without debate. Whenever the electronic roll call system is used, the Clerk shall preserve the record of the votes of the members by making the printed roll call as authenticated by the roll call system a part of the rough journal. All members casting votes by the electronic roll call machine shall be at their proper desks at the time for voting with the exception of the Speaker and sponsor moving passage of the bill under consideration. In the event the electronic roll call system is inoperative, all questions shall be put to the House by voice vote or by calling the roll as circumstances may require.
- 30. EXPLANATION OF VOTE. Any member may have written into be Journal an explanation of such member's vote on any particular motion, resolution, or bill by presenting to the Clerk an appropriate explanation in typewritten form.

- 31. CHANGE OF VOTE. Any member's vote on a roll call vote may be changed if such member requests such change before the result of the roll call is announced by the Speaker. After the result of the roll call is announced by the Speaker, no member may change such vote and the Journal entry shall not be altered. However, any member not voting at the time the roll call was taken, or any member voting on the original question but wishing to express a desire to change such member's original stand, may, have entered on the Journal a typewritten statement of support of or opposition to the question upon which the vote was taken.
- 32. APPRALS TO HOUSE ON RULINGS OF SPEAKER. Any five (5) members of the House may appeal to the House from the ruling of the Speaker and a majority vote of the members present shall decide the appeal.
- No member shall speak more than twice on the appeal except with the permission of the majority of the members present.
- 33. WHO MAY ADDRESS SPEAKER. No one may address the Speaker except a member of the House.
- 34. DIVISION OF QUESTION IN DEBATE. If the question in debate contains several points, any member may have the same divided; but no bill shall be divided on third and final consideration.
- 35. OTHER PAPPERS. When the reading of a paper is called for and the same is objected to by any member, it shall be decided by a vote of the House without debate. Distribution of other papers to the desks of the members can only be accomplished upon request of a member of the House and must reflect the name of the recuesting member.
- 36. PREVIOUS QUESTION. The previous question shall only be admitted when demanded by two-thrids [2/3] of the members present. It may be applied to the main question, the main question and amendment or to the main question and amendment to the amendment. If the question prevails on the main motion, its all dehate. If the question prevails on the main motion, its all dehate. The preponent of the motion, amendment, resolution or bill shall have the right to close the debate thereon, and no roll for the previous question shall cut off this right. However, when the demand for the previous question has been made and rejected under the foregoing provision but received a major through the members of the House. It shall be in order, and the committee on Calendar and Rules to meet and fix or limit the time in which debate on said question shall be closed, which decision shall be binding upon all membership of the House.
- 37. TABLED MOTION HOW REMOVED, ETC. When any bill, resolution, or motion is laid on the table by a vote of the House, it shall require a two-thirds (2/3) vote of those members present to take it from the table; but it shall require only a majority of the votes (a quorum being present) to lift from the table a vote rejecting a bill, resolution, or a motion.

- 38. BILLS DISPLACED BY SUBSTITUTION TABLED. When a bill has been substituted for another bill, the bill displaced by the substitution shall be considered as tabled.
- 39. WHEN BILL OR RESOLUTION FAILS TO RECEIVE CONSTITUTIONAL MAJORITY. When any bill or resolution is voted upon, but fails to receive a constitutional majority, the same shall be automatically re-referred to the Committee on Calendar and Rules. Any bill so re-referred during the final seven (7) days of the session shall not be again placed on the calendar for consideration during that session unless called for by a favorable vote of two-thirds (2/3) of the members to which the House is entitled under the Constitution, in which case it shall be placed in the next available position on the calendar for a succeeding day. However, no bill or resolution may be voted on more than twice during this General Assembly.
- 40. MOTION TO RECONSIDER POLICINING FINAL PASSAGE. When a vote on final passage of a bill has been made and carried in the affirmative or negative, it shall be in order for any member voting with the prevailing side to move for a reconsideration thereof, at any time the same day or the next succeeding day of actual session. If the member soving the reconsideration shall actual session, if the member soving the reconsideration shall done, and such member shall have exclusive control of the motion during that day and the next succeeding day of actual session; providing the motion has been duly seconded, and the motion shall be a privileged motion, taking precedence, when called up, over all other business. Thereafter, it may be called up by any motion to reconsider a reconsideration shall be in order. No motion to reconsider shall be placed upon the Journal during the last seven (?) legislative days of any annual session.
- NO CROWDING ABOUT CLERK'S DESK. Members shall not crowd or stand about the Clerk's desk.
- 42. WHO ALLOWED IN ROOMS OF CLERKS. No persons other than members and employees of the General Assembly shall be allowed in the offices of the Chief Clerk and Chief Engrossing Clerk during the period the House is in floor session.
- 43. INFORMATION REQUIRED ON COVERS OF BILLS AND RESOLUTIONS. Every bill or resolution introduced shall be typewritten on not less than a full page of legal paper, in original and four (4) eopies and the copies one copy and the copy shall have the following statement on the cover: "I certify that the within bill (see other one) is a true copy of the original which was introduced

#### Date Signature."

Bach bill or resolution and all copies shall be enclosed in manuscript covers and shall bear the signature(s) of the sponsor(s) on said covers and said covers shall also contain a succinct statement of the purpose or nature of said bill or resolution. No member shall be permitted to be added as a sponsor to a bill or resolution without the written permission of the first prime sponsor; provided, however, if a piece of legislation purports to name a public facility (bridge, building, etc.), the member who represents the district in which said facility lies shall be allowed to be added as a prime sponsor. Only the first prime sponsor may request that a bill be put on notice. However, the first prime sponsor may designate in writing, filled with the office of the house clerk, such other prime sponsor(s) who shall bill. The rights of the first prime sponsor as to action on a bill.

The Chief Clerk shall delete the name of any member who is not the only prime sponsor from any bill or resolution upon receipt of such request in writing.

When a member introduces a bill or resolution, the Clerk shall immediately give the same a House number. Cepies-shall be delivered as follows: one (1) copy to a representative of Legal Services; one (1) copy to a representative of Legal Services; one (1) copy to a representative of the fiscal Review Services; one (1) copy to a representative of the fiscal Review Services; one (1) copy to a representative of the fiscal Review Services; one (1) copy to a representative of the Services; one (1)

#### 44. FILING OF BILLS FOR INTRODUCTION.

- (a) Bills which have not been assigned a system entry code by the Office of Legal Services shall not be accepted for filing or pre-filing by the Office of the Chief Clerk.
- (b) All bills for introduction shall be filed with the Chief Clerk no later than  $4:00\,$  p.m. on the day preceding the date of introduction.
- (c) In the interim between sessions, any member of the House may pre-file a bill or resolution for introduction in the next session and the procedure shall be as follows:
- (1) The bill or resolution shall be filed with the Chief Clerk of the House by the member in the number and form prescribed by the Rules of the House.
- (2) The Chief Clerk shall number the bill or resolution and note thereon the date of the first day of the next session, on which the bill or resolution will be introduced and, in the case of bills, will pass first consideration.
- (3) After written request of the sponsor of a pre-filed bill or resolution, the Speaker of the House may refer the bill or resolution to the appropriate committee to be studied and considered by the committee, or a subcommittee thereof, during the interim between sessions.
- 45. BILLS TO BE NUMBERED. Each bill introduced shall be numbered in numerical order by the Clerk and said bill shall bear said number and be designated by said number in all future considerations of the same in the House. No bill shall be assigned a number by the Clerk or be referred by the Speaker to a committee for consideration unless it contains a title or

caption; an enacting clause stating, "Be it enacted by the General Assembly of the State of Temmessee;" and language following the enacting clause purporting to state new law or to amend or repeal existing law. Further, no bill that has not been assigned a system entry code by the Office of Legal Services shall be accepted or numbered by the Office of the Chief Clerk.

- 46. ONE CONSIDERATION PER DAY'S SESSION. Only one (1) consideration of a bill may be had in the House in any day's session.
- 47. SECOND CONSIDERATION-REFERRED TO COMMITTEE. After the passage of a bill on second consideration, all general bills shall be referred by the Speaker to the appropriate committee. Amy bill certified by its sponsor to be a caption bill or which is deemed so by the Speaker, shall receive first and second consideration and then shall be held on the Clerk's desk pending the filing of an amendment in proper form. After the filing of the amendment, the bill shall be referred by the Speaker to the proper committee.
- 48. LOCAL BILLS TO COMMITTEE WHEN. Local bills may be referred by the Speaker to appropriate committees if, in the discretion of the Speaker, the nature and effect of said local bills shall require it. Other local bills, after having received automatically be placed on the Consent Calendar in accordance with Rule No. 50.
- 49. DUTIES OF COMMITTEE ON CALENDAR AND RULES CONCERNING CALENDAR. All bills having been considered and reported out of the standing committee to which referred shall be automatically transmitted to the Committee on Calendar and Rules without further reference by the Speaker; and no bill of general nature shall be considered for third and final passage until a written calendar, from the Committee on Calendar and Rules, giving notice of such bill, has been posted in a regular place in the House Chamber at least forty-eight (48) hours prior to such consideration. Not more than twenty-five (25) general bills shall be placed on the calendar for final consideration on any one (1) day, and this number shall include any bills carried over from previous calendars or any bills set for special order. Should the House not complete any day's calendar, all bills remaining unconsidered shall go to the top of the calendar on the next day that general bills are considered, provided that only so many of the said bills shall be carried over as will not cause the total to be considered on that day to exceed the aforesaid limit. Any bills remaining to be carried over in excess of that number shall be placed at the head of the calendar on a succeeding day or days, within the daily maximum of twenty-five (25). The foregoing maximum limitation on bills for daily consideration may be suspended by the Committee on Calendar and Rules by a two-thirds (2/3) vote of the total membership of said committee.
- 50. CONSENT CALENDAR. Any bills or resolutions which are not controversial in nature shall be placed on a Consent Calendar by the officers of the Committee on Calendar and Rules, except for those resolutions claced on the Consent Calendar pursuant to

Rule No. 17. The Consent Calendar shall be printed and posted in a regular place in the House Chamber at least seventy-two (72) hours in advance of the time for such consideration.

Any member may object in writing to a bill or resolution on the Consent Calendar and if objection is raised, the bill or resolution shall be removed from the Consent Calendar and placed at the foot of the regular calendar for consideration on the day following removal from the Consent Calendar; provided, however, that any bill or resolution objected to and removed from the Consent Calendar on the final day of a session shall be placed at the foot of the regular calendar on that day.

Upon a motion for passage of the Consent Calendar pursuant to Rule 50, the appropriate language shall be spread in the Journal:

- "all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in."
- 51. SPONSOR OF BILL AND CHAIR OF STANDING COMMITTEE PROPOSION AMENDMENT TO BILL MUST BE PRESENT. No bill may be considered on third and final reading unless the sponsor of said bill and the chair, or the chair's designe, of a standing committee which has recommended any amendment or amendments to the committee which has recommended any amendment or amendments chair shall have previously indicated in writing to the Speaker permission for same to be brought up in such member's absence. However, if such sponsor, the chair or the chair's designee is not present in the House within one (1) hour from the time the bill is requirement is waived and the House may proceed to consider this requirement is waived and the House may proceed to consider designee in the absence of such sponsor, the chair or the chair's designee.
- 52. SUBSTITUTE SPONSOR OF BILL. Upon the death or disability requiring the absence from the Mouse of any sponsor of a bill, the Speaker may name one (1) of the cosigners of said bill as sponsor, and if only one (1) person shall have signed said bill as sponsor becomes unable to be to said bill as sponsor becomes an about the said bill as sponsor becomes and bill as sponsor.
- 53. RECALL OF BILL FROM COMMITTEE. Except during the organizational session, after any bill or other matter shall have been in any committee for seven (7) days, the same may be called for by two-thirds (2/3) of the members to which the body is entitled under the Constitution and placed upon the calendar of notice giving the number of the bill to be called for has been filed with and announced by the Clerk at least one (1) day prior to offering a motion to withdraw said bill from the committee in which it is held. When a bill has been recalled from a committee to which it was assigned by the Speaker of from the Committee on the committee of the bill to be committee on the committee of the committee of the control of the committee of the control of the committee of the control of the committee of the next day on which general bills are considered. Should such a bill be recalled from committee in the manner provided

above on the final day of a session, it shall then be placed at the foot of the calendar on that day.

- 54. RECALL OF BILL OR RESOLUTION FROM SEMATE OR GOVERNOR. Upon motion, the House acting by the written message of the Clerk may request the return of a bill or resolution from the Senate. If a bill has been transmitted to the Governor, upon motion, the forwarding body acting by written message of the Clerk may request the return of the bill or resolution from the Governor.
- 55. BILL MAY BE RECOMSITTED. After commitment and report thereof to the House, at any time before its passage, a bill may be recommitted, provided the recommitment of the bill during the last seven (7) days of a session shall prohibit further consideration of the bill during that session unless recalled under Rule 53.
- 56. PRECEDENCE OF SENATE BILLS. Bills coming from the Senate shall have precedence of bills in the House on the same subjects.
- 57. CERTIFIED BY CLERK. When a bill shall pass it shall be certified by the Clerk, noting the day of its passage at the foot thereof
- 56. BILLS TO BE EXAMINED BY CHIFF ENGROSSING CLERK. All bills passed in the House shall, before they are sent to the Senate, be examined by the Chief Engrossing Clerk, whose duty it shall be to examine all bills, amendments, resolutions or motions, before they go out of the possession of the House, and to make report that they are correctly engrossed, which report shall be entered in the Journal. The Chief Engrossing Clerk shall be allowed a lasgelled words in such documents prior to transmission.
- 59. CONCURRENCE OF HOUSE IN SENATE MENDMENTS. When a substitute for the House bill is returned from the Senate with an amendment or a substitute for the House bill, the "ayes" and "noes" shall be the substituted bill and entered in the Journal of the souse to said amendment or substituted bill shall be considered as concurred in or passed unless a majority of the members to which the House is entitled shall have voted affirmatively therefor and the said vote shall have been entered on the Journal. Any for the House hill shall lie over one (1) day except on the final for the House hill shall lie over one (1) day except on the final two (2) legislative days of a session.

No measure coming from the Senate with an amendment or any other Senate action requiring House concurrence or non-concurrence shall be acted on by the House until the sponsor of the measure has announced that the measure has been returned from the Senate measure has the senate matching the Senate action that the senate has taken, and briefly explaining what effect the Senate action will have on the measure. This announcement the measure by the House under the order of unfinished business except during the final four (4) legislative days of the session. The Chief Clerk will see that an impact summary of the Senate

action on the measure as prepared by Legislative Services is placed on a special Senate Message Calendar to be printed and placed on the members' desks on the legislative day immediately following the announcement. The impact summaries will appear in numerical order regardless of the nature of the measure.

- 60. AMENDMENTS TO BILLS. No amendment beyond the second degree shall be entertained, that is, an amendment to an amendment; and in all such cases, the vote on the respective amendments shall be had in the reverse order in which the same were made.
- 61. TABLING OF AMENDMENT KILLS SAME. When a motion to lay on the table an amendment, in the first or second degree, to a pending bill, resolution or other matter, prevails, it shall be a final defeat of the tabled amendment, and the further consideration of such bill, resolution, or other matter, may be at once continued.
- ${\bf 62.}\ \ {\bf NO}\ \ {\bf RIDER.}\ \ {\bf No}\ \ {\bf amendment}\ \ {\bf by\ \ way\ \ of\ \ a\ \ rider\ \ shall\ \ be\ \ received.}$
- 63. MOTION TO REVECT. When a bill receives a constitutional majority in the negative on a motion to pass on third and final consideration, or when a resolution receives a constitutional majority in the negative on a motion to adopt or concur on final consideration. The speaked was received to the constitutional majority in the negative on a motion to pass on third and final consideration (or adopt or concur), I hereby declare the floor now open for a motion to reject. "I he member makes the motion to reject, that motion and the bill or majority in the next of the concept of the concep
- When a bill or resolution is considered on the next legislative day, no other motion shall be in order until the motion to reject has been disposed of and the Speaker has declared the final status of the bill or resolution in question. If the motion to reject passes, the Speaker, after the announcement of the vote by the Clerk, shall say "document type and number) having received a constitutional majority in the corresponding to the control of the State of Tennessee."

If no motion to reject is made, or if a motion to reject is made and fails to receive a constitutional majority, the Speaker shall re-refer the bill or resolution in question to the Committee on Calendar and Rules.

If the motion to reject as provided for in this rule is passed, then (a) pursuant to Article II, Section 19, Tennessee

Constitution, no bill containing the same substance shall be passed into a law during this General Assembly, and (b) the motion to reconsider shall be out of order.

Motions to reject shall not be in order except as provided above.

- 64. MOTION TO RECONSIDER EVERY BILL MUST BE ACTED UPON. The Clerk shall transmit to the Senate no bill, resolution, message, report, amendment, or motion nor shall the Chief Engrossing Clerk present any bill or resolution to the Governor for his action until the motion to reconsider shall have been acted upon and said action entered on the Journal.
- 65. STANDING COMMITTEES. There shall be the following standing committees, each of which the Speaker and the Speaker Pro Tempore shall be voting members, to wit:
  - (1) Agriculture
  - (2) Commerce
  - (3) Conservation and Environment
  - (4) Consumer and Employee Affairs
  - (5) Education
  - (6) Finance, Ways and Means (7) Government Operations
  - (7) Government Operations (8) Health and Human Resources
  - (9) Judiciary
  - (10) State and Local Government
  - (11) Transportation
  - (II) Transportation

Provided, however, the Speaker Pro Tempore shall only vote when the Speaker is not present and voting, except on those two (2) standing committees to which the Speaker Pro Tempore has been regularly assigned.

There shall be a committee on Calendar and Rules to be composed of the Speaker, the Speaker Pro Tempore, the Majority Leader or such leader's designee, the Majority Caucus Chair, the Minority Leader or such leader's designee, the Minority Caucus Chair, a member of the majority and minority parties appointed by and to serve at the pleasure of the Speaker, one (1) chair, one (1) vice chair, and one (1) secretary appointed by the Speaker under House Rule 7; and the chair, vice chair, and secretary of each standing committee listed above. It shall set the calendar and establish hours and places of meeting of the various standing committees. In establishing the hours and places of meeting of the various standing committees, the Committee on Calendar and Rules shall, insofar as possible, establish regular meeting times and days which shall avoid conflict among the various standing committees. No standing committee shall have more than thirty (30) appointed members. No member shall serve on more than two (2) standing committees, exclusive of the Committee on Calendar and Rules, the Joint Legislative Services Committee, and the Fiscal Review Committee, except the Speaker and the Speaker Pro Tempore who shall be voting members of all standing committees as stated in the rule (65).

- 66. NO SPECIAL COMMITTEES WHEN. No special committee shall be appointed for any purpose when there is a standing committee on the same subject.
- 67. MEFING OF COMMITTERS WHEN. No committee of this House shall remain in session during the sessions of the House, unless by permission of a majority of members present. All committee meetings, except meetings held when the House is in recess or adjourned, shall be announced in open session by the Chair, and the time and place of meeting shall be designated at the same time and shall conform with the schedule established by the Committee on Calendar and Rules under House Rule 65. Committee meetings held on days when the House is in recess or adjourned shall be announced in open session or by written notice, furnished to each member of the House not less than executive two (72) hours prior to the meetings may be called by the Chair of the Standing Committee meetings may be called by the Chair of the Standing Committee recess or adjourned and shall be called by the Committee Chair when petitioned in writing, signed by a majority of the members of the Committee.
- 68. COMMITTEE OF WHOLE. In forming a Committee of the Whole, the Speaker shall leave the chair, and the Speaker shall appoint a Chair of the Committee of the Whole to preside.
- 69. PROCEEDINGS IN COMMITTER OF THE WHOLE. Upon a bill being committed to a Committee of the Whole, the bill shall be read throughout by the Clerk, if demanded by any member, and then again read and debated by clauses, leaving the preamble to be last considered. The body of the bill shall not be defaced or interlined; but all amendments, noting the page and the line, shall be duly entered by the Clerk on a separate paper, as the same shall be agreed to by the Committee, and so reported to the House. After report, the bill shall again be debated and membed to the strength of the Whole so that a support of the bill so that a support of the Whole support of the whole
- 70. AMENDMENTS IN COMMITTEE OF WHOLE. All amendments made to a report committed to a Committee of the Whole shall be noted and reported, as in the case of bills.
- 71. AMENDMENTS IN STANDING COMMITTESS AND BILLS INITIATED BY STANDING COMMITTESS. The standing committees may initiate legislation as a committee in addition to acting upon legislation referred to such standing committees. Such legislation initiated by the committee shall be introduced by the chair or the chair's committee shall be introduced by the chair or the chair's join therein such other members of the committee as may wish to join therein.

When a standing committee recommends a bill for passage only with the adoption of an amendment or amendments approved by a majority vote of the standing committee, the committee charles shall cause such committee amendment or amendments to be prepared to the property of the standing committees with committee cannot be considered by the Committee on Calendar and

Rules unless the committee amendment is attached thereto. No committee amendments shall be accepted by the Chief Clerk for filing unless said amendment is labeled with a system entry code assigned by the Office of Legal Services. The Chair of said standing committee shall cause said committee amendment to be prepared and filed with the Chief Clerk within twenty-forur [24] hours from the time the bill was reported out. The preceding two [2] sentences shall not apply to the General Aporcorriations Bill.

No later than twenty-four (24) hours prior to the time the bill recommended for amendment is scheduled for consideration on the floor of the House, the Chief Clerk shall cause the recommended amendment or amendments to be reproduced and a copy to be placed upon the desk of each member of the House. After the bill has been explained and its passage moved by the sponsor, the chair of the standing committee recommending the amendment. or chair's designee, shall then be recognized for the explanation of and debate on such amendment or amendments. It shall be the responsibility of the Chief Clerk to ensure that the foregoing procedures are observed in the consideration of amendments recommended by standing committees. It shall also be the responsibility of the Chief Clerk to denote clearly that such amendment or amendments were recommended in a standing committee and to write on the face of the amendment the committee which made the recommendation and the date on which the recommendation was made

- 72. FISCAL MEASURES. Any bill or resolution having a fiscal effect of \$5100,000.00 or more shall be referred to the Committee on Finance. Ways and Means after consideration by the appropriate standing committee. The Committee on Finance, Ways and Means may offer committee amendments relating to fiscal concerns only, and shall not offer amendments relating to other substantive portions of the bill. If the Committee on Finance, Ways and Means recommends the bill or resolution for passage, the bill or resolution shall be referred to the Committee on Calendar and \$100,000.00 or more shall be put upon final passage until the same has been referred to and recommended by the Committee on Finance, Ways and Means.
- 73. CONFERENCE COMMITTEES. A motion for the appointment of a conference committee shall be in writing and shall state the purpose or purposes for which the committee is created. Every conference committee report shall refer to the motion by which the committee was created and shall set forth the instructions contained therein followed by the recommendations of the committee which shall conform to such motion and its instructions. No report of a conference committee or any part thereof shall be adopted and incorporated into pending over of a majority of the members to which the Russe is entitled under the Constitution and a motion to reconsider shall have been acted upon and entered on the Journal.
- 74. CHANGE AND SUSPENSION OF RULES. The rules of the House may be altered, amended, or suspended by a two-thirds (2/3) vote of the members to which the House is entitled; a motion to alter or amend, but not suspend, the rules shall in all cases lie over

one (1) day. This rule (Rule 74) may not be suspended on motion to alter, amend, or suspend the rules. A motion to suspend the rules shall be for a stated purpose and subsequent suspension of the rules shall be limited to that stated purpose.

- 75. ADJOURNMENT. Adjournment shall be to the hour of 12:30 pm. on the following day unless otherwise specified by the majority of those members present and voting. During the last two (2) weeks of a session, the Blouse shall convene at 9:00 a.m., recess at 12:00 noon, reconvene at 2:00 p.m., and adjourn on the property of the present and voting.
- 76. ENTER RULINGS. The Clerk of the House shall enter on the Journal all rulings by the Speaker on points of order. The Clerk or any member may request that the Speaker submit such ruling in writing at the close of the day on which the ruling was made
- 77. ACTION ON BILLS INTRODUCED AFTER 10th DAY. Any general bill introduced after the tenth (10th) legislative day the House convenes for the transaction of business in any regular legislative session, shall be prefiled for introduction and referred to the delayed bils committee. If approved by unanimous consent of the delayed bils committee, the bill shall

Any bill prefiled but not receiving unanimous consent of the delayed bills committee may be called for by two-thirds (2)3 majority of the members to which the body is entitled under the Constitution, in which case it shall be introduced.

The Delayed Bills Committee shall consist of the Speaker, the Majority Leader, and the Minority Leader and shall meet at the call of the Speaker.

78. VETO. Upon receipt of a veto message and return of a bill or resolution from the Governor, or a receipt of a message from the Senate advising the House that a bill or joint resolution has been passed by the Senate, the Governor's veto to the contrary notwithstanding, the Clerk shall read the message and cause the same to be spread at large upon the Journal. Thereafter, the sponsor of the bill or resolution may, upon the twenty-four (24) hours typewritten notice and within three (3) legislative days after the filing of said notice, except the last legislative day of any annual session such notice shall not be required, move the House under the item of Unfinished Business to pass the contract of the sense of the said of the sense of the said of the sense of a majority of the members to which the House is entitled under the Constitution, the bill or joint resolution shall then be transmitted to the Senate unless the same was originally received from the Senate subsequent to its prior approval.

Nothing in this rule shall serve to prohibit the filing of subsequent notices to move the House to pass the bill or resolution, notwithstanding the objections of the Executive, if affirmative action is not taken on the motion first noticed. 79. MASON'S MANUAL OF LEGISLATIVE PROCEDURE TO GOVERN. If question shall arise which is not provided for in these rules, the same shall be governed by Mason's Manual of Legislative Procedure (latest edition existing on date of adoption of these rules), which is hereby adopted.

#### COMMITTER PHILES

# of the

#### HOUSE OF REPRESENTATIVES

#### 80. UNIFORM RULES OF COMMITTEES.

(1) The Chair, after advising with the vice chair and secretary, shall set the calendars for hearings before the standing committee, taking into consideration the necessity and importance of the legislation before the committee. Those bills and resolutions requested by the sponsors to go on the calendars shall first be placed on the calendars, provided that the chair, after advising with the vice chair and secretary, shall set the calendar for hearings on a reasonable number of bills or resolutions at each committee meeting. The requests by sponsors for their bills to be heard in the standing committees shall be filed with the standing committee or subcommittee as soon as practicable, but not later than 3:00 p.m. (CST) on the Wednesday preceding the next regularly scheduled meeting of the standing committee. The chair, after advising with the vice chair and secretary, shall have the authority to set on the calendars additional bills or resolutions not requested by the sponsors if. in the opinion of such officers, a reasonable number of measures has not been set for hearing. The standing committee shall electronically transmit the committee calendar (bills to be heard) for its next regularly scheduled meeting as early as practicable but not later than 4:30 p.m. (CST) on the same day. The Clerk's office shall publish these calendars as early as possible on the day following so that the sponsor of each bill or resolution scheduled for hearing shall be notified.

These notice provisions shall not apply to a bill or resolution transmitted by a standing committee to the Committee on Calendar and Rules for recommendation.

- (2) Prior to any scheduled standing committee meeting, the sponsor of any bill or resolution scheduled for hearing before said standing committee may request in writing that the chair of the standing committee set another hearing date, and the bill or resolution shall be rescheduled for hearing.
- No bill or resolution can be considered in a standing committee without a sponsor as reflected in the House Journal.

Should the sponsor of a bill or resolution fail to appear before the standing committee when the bill or resolution has been scheduled two (2) times for a hearing, then the bill or resolution shall be returned to the desk of the Clerk of the House. After a bill or resolution has been sent back to the Clerk's desk, the sponsor of the legislation may appeal to the Speaker to re-refer the proposed legislation; and the Speaker shall have the discretion as to what action shall be taken.

(3) All bills or resolutions not considered controversial in nature may be placed on the committee consent calendar by the chair, after advising with the vice chair and secretary, provided the sponsor does not object. Any member of the standing

the sponsor does not object. Any member of the standing committee may object to bill or resolution placed on the Committee Consent Calendar, and if objection is raised, the bill or resolution shall be removed from the Committee Consent Calendar and thereafter shall be acted upon by the standing committee.

The Committee Consent Calendar shall be printed and posted in regular places at least seventy-two (72) hours in advance of the time set for consideration of such calendar so that each member of the House may know the status of the legislation pending before the standing committee.

- (4) Standing committees of the House shall meet at the times and places specified in the official committee schedule adopted pursuant to House Rule 65.
- (5) A standing committee may hold a special committee meeting with approval of the Speaker at a time and place other than that specified in the official schedule of committee meetings. All special meetings, except meetings held when the House is in recess or adjourned, shall be announced in open session by the chair of the committee. Special meetings held on days when the House is in recess or adjourned shall be announced in advance in open session or by written notice furnished to each member of the House not less than seventy-two (72) hours prior to the meeting time.
- (6) If a regular scheduled meeting of a standing committee is canceled, the chair shall announce such cancellation in open session of the House prior to the time fixed for the meeting if possible. If it is not possible for the chair to announce such cancellation in open session, all members of the House shall be every effort to notify each seaber of the committee and any other members of the House likely to have business before the committee of such cancellation.
- (7) A quorum shall consist of a majority of the members of a given standing committee.
- (8) Committee meetings shall be open to the public at all times unless the business of the committee concerns itself with matters of national or state security or the investigation of a proposed impeachment, which, in each separate instance, shall be determined by a three-fourths (3/4) majority of the committee members present and voting.
- (9) When a standing committee recommends a bill for passage only with the adoption of an amendment or amendments approved by a majority vote of the standing committee, the committee chair shall cause such committee amendment or amendments to be prepared in the committee of the committee of the committee of the property of the committee of the committee of the committee of the should be properly designated as having been recommended in

committee and should be signed by the committee chair or the chair's designee before being presented to the Chief Clerk who shall then observe the rules of the Rouse in causing such amendment or amendments to be printed and distributed to all shall be considered to the consideration of the chair of the

- (10) No bill or resolution shall be reported from a standing committee unless it shall have received a recommendation for passage as written or for passage with a recommended amendment by a majority of those members of the committee present and voting thereon, a quorum being present. All votes constituting final action on any bill or resolution shall be by roll call vote, and a roll call vote shall be taken at the request of the sponsor of the bill or resolution under consideration or at the request of any three (3) members of the committee. Every bill or resolution reported out of the committee shall contain on the cover a notation in ink, signed by the chair, or other presiding officer, recommending the measure for passage as written or recommending it for passage with an amendment or amendments recommended by the committee. If a motion to recommend a bill or resolution has been voted on by a standing committee two (2) times and has failed to pass, then the same shall not be considered by the committee again during that annual session. This rule shall also apply to the Committee on Calendar and Rules.
- (11) A written report of the action taken in reporting bills or resolutions out of committee shall be prepared under the direction of the committee chair and submitted promptly together with the bills and resolutions and committee amendments, if any, to the Chief Clerk of the House.
- (12) The Chief Clerk shall be responsible for the safe delivery of bills to any meeting of the committee and for their return following the meeting but may delegate such responsibility to one of the Chief Clerk's Office staff.
- (13) A standing committee chair may create such continuing or ad hoc subcommittees as the chair considers necessary and appropriate to deal with designated subjects within the scope of the subject jurisdiction of the committee. But there shall be no more than four standing subcommittees in each standing committee. No ad hoc committee shall have the power to kill a bill. The authorized and shall name the chair thereof, however no such subcommittee shall have fewer than five (5) members.

A subcommittee of a standing committee shall have authority to consider only such bills, resolutions, or subjects as may be assigned to it by the standing committee which created it. Such a subcommittee shall report only to the standing committee chair unless directed otherwise by the House. No subcommittee may meet

while the standing committee of which it is a part is in session without the consent of the standing committee.

If the chair of a standing committee deems it appropriate after advising with the vice chair and secretary, to assign a bill to a subcommittee, said bill must be assigned to such subcommittee within five (5) legislative days after its passage on second consideration and referral to standing committee, or following the receipt of a fiscal note if said bill is referred to the committee on finance, ways and means unless otherwise provided by law.

If the chair of a standing committee deems it appropriate, after advising with the vice chair and secretary, to assign a bill or resolution which has been referred to it after recommendation for passage by another standing committee to a subcommittee, said bill must be assigned to such subcommittee within seven (7) calendar days of its receipt.

When a bill or resolution is assigned to a subcommittee by the chair of a standing committee, the subcommittee chair, the sponsor, the chief clerk, and the director of legislative services shall be notified electronically by the chair of the assignment, of said bill, the date of assignment, and the name of the subcommittee

The request of the sponsor for a bill or resolution to be heard by a committee or subcommittee shall be filed with the standing committee. The chair of the standing committee shall electronically notify the chair of the subcommittee that the sponsor has requested the bill or resolution to be heard. The chair of said subcommittee shall set and publish the date and the calendar of bills to be heard and shall electronically and by printed calendar notify the sponsor of bills or resolutions to be heard, the chief clerk, and the director of the office of legislative services.

The chair of the standing committee or the subcommittee shall provide copies of the calendar and electronic notice of bills to be heard to the chief clerk and the director of legislative services.

An electronic report of the action taken by a subcommittee on each bill or resolution which it considers shall be prepared by the chair of said subcommittee and submitted to the chair of the standing committee, the chief clerk, and the director of the office of ledislative services.

When a bill or resolution is reported from a subcommittee, said bill or resolution shall be placed by the chair of the standing committee on the calendar of the next scheduled meeting of the standing committee unless the sponsor of said bill or resolution requests in writing that the chair of the standing committee set another hearing date.

At any time after a bill or resolution has been acted upon by a subcommittee any member of the standing committee may move to recall the bill or resolution from the subcommittee by presenting the motion in writing to the committee chair. The motion shall be scheduled to be heard at the beginning of the standing committee's next meeting, provided the notice is timely filed under Rule 80(1) so it can be printed on the committee calendar. If the motion carries by a majority of the members entitled to vote at a meeting of the committee then the bill or resolution shall be placed on calendar for the next meeting of the committee. No such motion shall be considered during the final meeting of a committee during a session.

- (14) A motion to reconsider any committee action and to-have the motion entered in the Journal (or records of the committee) shall be determined by a two-thirds (7/2) majority of the committee members entitled to vote at a meeting of the committee, and shall not operate to give the mover possession or control of any measure for any ensuing period of time. It shall be treated as a simple motion to reconsider, and its effect shall be the same.
- (15) No proxy votes shall be permitted in a standing committee for any purpose.
- (16) The vote of the chair of a standing committee shall be recorded in the manner and time as any other member of the committee.
- (17) If a member of a standing committee will be unable to attend said meeting, that member shall request an excused absence from the chair. If any appointed member of a standing committee is absent from two (2) regularly scheduled meetings of the committee without being excused by the chair, the chair shall report such absences to the Speaker of the House.
- (18) In the absence of a quorum, the chair or other presiding officer shall have authority to direct the Sergeant-at-Arms to secure the presence of a sufficient number of members to constitute a quorum.
- (19) In the absence of any express designation or appointment of any officers of a joint committee or joint subcommittee, the members thereof shall elect a chair and such other officers as are considered necessary by the committee.
- (20) All committee minutes shall reflect attendance of members. Members shall be paid in accordance with the provisions of the law governing payment of per diem allowance to members of the General Assembly. The chair of each standing committee is charged with the duty and responsibility of providing and certifying to the Speaker the roll call vote of such committee and a listing of those sponsors appearing before the committee seeking action on their bills or resolutions.
- (21) Except as stated in the foregoing rules, the Rules of Order of the House of Representatives shall apply. Other special rules shall not be adopted by committees.

Respectfully Submitted:

Rep. Bill		Purcell,	Chair
Rep. Jere L Hargrove Rep. H. Rep. Matt Kisber	E.	Bittle,	Vice-Chair
Mr. Speaker		Jimmy	Naifeh
Rep. Steve McDaniel Speaker Pro	Tem	Lois	DeBerry
Rep. Larry J. Miller Rep.	Carol		Chumney
Rep. Pete Phillips Rep.	Ronnie		Davis
Rep. L. Don Ridgeway Rep. Rep. Richard Venable	Doug		Gunnels

# REPORTS FROM STANDING COMMITTEES

The committees that met on February 14, 1995 reported the following:

# COMMITTEE ON CALENDAR AND RULES

The Calendar and Rules Committee met and set the following bill(s) on the Regular Calendar for Thursday, February 16, 1995: House Bill No(s). 2.

# FINANCE, WAYS AND MEANS

The Finance, Ways and Means Committee recommended for passage: House Bill(s) No(s). 67. Under the rules, each was transmitted to the Calendar and Rules Committee.

# GOVERNMENT OPERATIONS

The Government Operations Committee recommended for passage: House Bill(s) No(s). 412, 464, 428. Under the rules, each was transmitted to the Calendar and Rules Committee. STATE AND LOCAL GOVERNMENT

The State and Local Government Committee recommended for passage: House Bill(s) No(s) 46 and 82. Under the rules, each was transmitted to the Calendar and Rules Committee.

#### REPORTS FROM STANDING COMMITTEES

The committees that met on  ${\tt February}$  15, 1995 reported the following:

# JUDICIARY

The Judiciary Committee recommended for passage: House Bill(s) No(s). 132; also House Bill No(s). 18 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

#### TRANSPORTATION

The Transportation Committee recommended for passage: House Bill(s) No(s). 52, 51, 147, 149, 174, 153 and 83; also House Bill(s) No(s). 86 with amendment(s). Under the rules, each was transmitted to the Calendar and Rules Committee

#### CONSENT CALENDAR

House Joint Resolution No. 71 -- Memorials, Public Service - State Park Ranger Marty Silver, nature education. by \*Venable, \*Westmoreland.

House Joint Resolution No. 72 -- Memorials, Public Service -- Joe B. Huddleston, Commissioner of Revenue. by \*Kisber.

House Joint Resolution No. 73 -- Memorials, Professional Achievement -- Reverend Richard W. Gordon, by \*Bragg, \*Eckles.

House Joint Resolution No. 74 -- Memorials, Recognition and Thanks -- "Kids in Tune." by \*Westmoreland.

# OBJECTION -- CONSENT CALENDAR

Objection(s) was/were filed to the following on the Consent Calendar:

House Joint Resolution No. 72: by Rep. Peach.

Under the rules, House Joint Resolution No. 72 was/were placed at the foot of the calendar for February 16, 1995.

Pursuant to Rule No. 50, Rep. Phillips moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

	Ay						-	-	-	-	-	-	-	-	-	-	-	-	-	-			-			
	No							-	-	-	-	-	-	-	-	-	-	-	-	-	-	-		-		

Representatives voting aye were: Armstrong, Arriola, Beavers, Bell, Bird, Bittle, Bowers, Boyer, Bragg, Brooks, Broom, Buck, Burchett, Byrd, Callicott, Cantrell, Chumney, Clabough, Coffey, Cole (Cyer), Cross, Curtiss, Davidson, Davis, Deberry J, Deberry L, Duer, Dunn, Eckles, Fitzhugh, Ford, Fowlkes, Garrett, Givens, Gunnels, Haley, Haltenan Harwell, Hargrove, Hassell, Head, Herron, Hicks, Huskey, Jackson, Jones R (Shelby), Jones S, Jones O, Bornes D, Comes D, Comes

Shirley, Stamps, Stulce, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, White, Whitson, Williams (Union), Williams (Williamson), Windle, Winningham, Wood, Mr. Speaker Naifeh - 99.

A motion to reconsider was tabled.

# UNFINISHED BUSINESS

Rep. Purcell moved that The Report of the Select Committee on Rules be adopted as the Permanent Rules of Order of the House of Representatives of the Ninety-Ninth General Assembly.

Rep. Bittle moved adoption of Amendment No. 1 to the Report of the Select Committee on Rules.

Rep. Bittle moved to substitute a revised copy of Amendment No. 1 in order to eliminate a drafting error, which motion prevailed, without objection.

#### Substitute Amendment No. 1

# PROPOSED AMENDMENTS TO HOUSE RULES

Rule 7 Shall be amended by placing a period at the end of the word "members"; and deleting the words "and the political party representation in the House".

Rule 53 Current Rule 53 is deleted in its entirety and replaced with the following:

# RECALL OF BILLS AND RESOLUTIONS FROM COMMITTEE OR SUBCOMMITTEE.

Any bill properly placed on notice in a committee or subcommittee and sufficient time having elapsed to allow the bill to be heard in the committee or subcommittee shall be subject to the following recall provisions:

Except during the organizational session, after any bill or resolution has been assigned to a standing committee by the Speaker, any bill or resolution which would result in an expenditure by the State of less than \$100,000.00 if enacted or adopted, may by recalled from any committee or subcommittee by the first prime sponsor of the bill or resolution by presenting the House Clerk with a discharge petition signed by fifty (50) or sore members of the House The discharge petition shall identify the bill or resolution by presenting that the bill or resolution by present the shall be shaded on the next House Floor Calendar for consideration. Any bill or resolution which would result in an expenditure by the State of more than \$100,000.00 if enacted or adopted may be recalled from any committee or subcommittee using this same procedure, provided that the bill recalled shall be placed on the calendar of the committee of Finance, Mays and Means

and shall be voted upon within two days in the committee of Finance, Wavs and Means.

# AMENDMENTS THAT AFFECT CALENDAR AND RULES

Rule 65 Shall be amended by inserting the following words at the end of the third sentence of the third paragraph between the words "committees," and "No"; "the committee on Calendar and Rules shall not amend nor kill any bill. The committee on Calendar and Rules shall not defer consideration of any bill more than two weeks from the deta that it was originally heard in the committee on Calendar and Rules.

Rep.										ime	ent	-	No	1	b	e	ta	ibl	.ec	l,
Ayes.																				
Noes.																				

Representatives voting aye were: Armstrong, Arriola, Bell, Bowers, Bragg, Brooks, Brown, Buck, Bryd, Chummey, Cole (Dyer), Cross, Curtiss, Davidson, Deberry J, Deberry L, Eckles, Fitzhugh, Fowlkes, Garrett, Givens, Hargrove, Head, Herron, Jackson, Jones R (Shelby), Jones S, Jones U (Shelby), Kernell, Kisber, Langster, Lewis, McDonald, McMillan, Miller, Napier, Odom, Patton, Phelan, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Studee, Tindell, Towns, Turner (Hamilton), Turner (Shelby), West, White, Williams (Williamson), Windle, Winningham, Mr. Speaker Naifeh -- Col

Representatives voting no were: Beavers, Bird, Bittle, Boyer, Burchett, Callicott, Cantrell, Clabough, Coffey, Cole (Carter), Davis, Duer, Dunn, Ford, Gunnels, Haley, Halteman Harwell, Hassell, Hicks, Huskey, Joyce, Kent, Kerr, McAfee, McDaniel, McKee, Newton, Peach, Ramsey, Roach, Sharp, Shirley, Stamps, Venable, Walley, Westmoreland, Whitson, Williams (Union), Mood-19)

Rep. Westmoreland moved the previous question, which motion prevailed.  $% \left( 1\right) =\left( 1\right) \left( 1\right) \left($ 

Whereupon the Report of the Select Committee on Rules was adopted as the Rules of Order of The House of Representatives of the Ninetynith General Assembly by the following vote:

	Ay	/es	٠.																														
	140	Jea		•	•	•	•	•	•	•	•	8	-	-	-	-	-	-	-	-	-	-	-	-	-	-	•	•	•	-	•	•	•

Representatives voting sye were: Armstrong, Arriola, Bell, Bitle, Bowers, Boyer, Brage, Brooks, Broom, Buck, Burchett, Byrd, Callicott, Chumney, Clabough, Cole (Cartex), Cole (Dyerl, Cross, Curriss, Davidson, Davis, Deberry J, Deberry L, Duer, Dunn, Eckles, Fitzhugh, Ford, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Head, Herron, Hicks, Huskey, Jackson, Jones R

(Shelby), Jones S, Jones U (Shelby), Kent, Kernell, Kerr, Kisber, Langster, Lewis, McAGee, McDaniel, McDonald, McKee, McMillan, Miller, Napier, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pruitt, Phrcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Roach, Robinson, Sharp, Stamps, Stulce, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Mestmoreland, White, Whitson, Williams (Union), Williams (Williamson), Windle, Winningham, Wood, Mr. Sceaker Naifeh -- 91.

Representatives voting no were: Beavers, Bird, Cantrell, Coffey, Hassell, Joyce, Peach, Shirley -- 8.

A motion to reconsider was tabled

#### PHILES SHISPENDED

Representative Purcell moved to suspend Rule No. 44 so that all bills filed up to the close of business on Thursday, February 16, 1995 will be considered properly introduced on that date, which motion prevailed.

# BILLS WITHDRAWN

On motion of Rep Rinks, **House Bill No. 613** was recalled from the Government Operations Committee and withdrawn from the House.

On motion of Rep Ramsey, **House Bill No. 290** was recalled from the Education Committee and withdrawn from the House.

#### APPOINTMENT OF SELECT COMMITTEES

The Speaker announced that he has appointed the following members to the Education Oversight Committee: Representatives: Bragg, Head, Rhinehart, Tindell (Speaker's Designee), Jones U (Shelbv), Davidson. Wininaham, Whitson and Davis.

The Speaker announced that he has appointed the following members to the Committee on Pensions and Insurance: Representatives Bragg, Kisber, Head, Rhinehart, Kent and Bittle.

# SPONSORS ADDED

Under Rule No. 43, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Joint Resolution No. 73:  $\operatorname{Rep}\left(s\right). \text{ Eckles as prime sponsor}\left(s\right).$ 

House Joint Resolution No. 14: Rep(s). Tindell, DeBerry J and Halteman Harwell as prime sponsor(s).

House Bill No. 14: Rep(s). Givens as prime sponsor(s).

House Bill No. 18: Rep(s). Tindell, DeBerry J and Halteman Harwell as prime sponsor(s).

**House Bill No. 20:** Rep(s). Tindell, DeBerry J and Halteman Harwell as prime sponsor(s).

House Bill No. 22:  $\mbox{Rep}\,(s)\,.$  Tindell, DeBerry J and Halteman Harwell as prime sponsor(s).

**House Bill No. 23:** Rep(s). Tindell, DeBerry J and Halteman Harwell as prime sponsor(s).

House Bill No. 24: Rep(s). Tindell, DeBerry J and Halteman Harwell as prime sponsor(s).

House Bill No. 38: Rep(s). Burchett as prime sponsor(s).

**House Bill No. 47:** Rep(s). Tindell, DeBerry J and Halteman Harwell as prime sponsor(s).

House Bill No. 60: Rep(s). Rigsby as prime sponsor(s).

House Bill No. 84: Rep(s). Venable and Westmoreland as prime sponsor(s).

House Bill No. 107: Rep(s). Cantrell, Ford, Cole (Dyer), Byrd, and Givens as prime sponsor(s) Rep(s). Tindell, DeBerry J and Halteman Harwell as prime sponsor(s).

House Bill No. 128: Rep(s). Tindell, DeBerry J and Halteman Harwell as prime sonsor(s).

**House Bill No. 131:** Rep(s). Tindell, DeBerry J and Halteman Harwell as prime sponsor(s).

**House Bill No. 132:** Rep(s). Tindell, DeBerry J and Halteman Harwell as prime sponsor(s).

House Bill No. 199: Rep(s). Jones S as prime sponsor(s).

House Bill No. 230: Rep(s). Jones S as prime sponsor(s).

House Bill No. 406: Rep(s). Jones S as prime sponsor(s).

House Bill No. 495: Rep(s). Newton as prime sponsor(s).

House Bill No. 642: Rep(s). Tindell, DeBerry J and Halteman Harwell as prime sponsor(s).

House Bill No. 720: Rep(s). Ridgeway as prime sponsor(s).

**House Bill No. 832:** Rep(s). Jones R (Shelby), and Miller as prime sponsor(s).

**House Bill No. 969:**  $\operatorname{Rep}(s)$ . Williams (Union) as prime  $\operatorname{sponsor}(s)$ .

 $\label{eq:house_Bill_No.970:} \textbf{Rep(s). Williams (Union) as prime sponsor(s).}$ 

House Bill No. 972: Rep(s). Gunnels as prime sponsor(s).

# MESSAGE FROM THE GOVERNOR February 15, 1995

MR. SPEAKER: I am directed by the Governor to return herewith: House Joint Resolution(s) No(s). 18, 19 and 43; with his approval.

HARDY MAYS, Counsel to the Governor.

#### ENGROSSED BILLS February 15, 1995

The following bills have been examined, engrossed, and are ready for transmission to the Senate: House Joint Resolution(s) No(s). 71, 73 and 74.

#### BETTY KAY FRANCIS, Chief Engrossing Clerk. MESSAGE FROM THE SENATE February 15, 1995

MR. SPEAKER: I am directed to return to the House, House Joint Resolution No. 73; concurred in by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

# MESSAGE FROM THE GOVERNOR February 15, 1995

MR. SPEAKER: I am directed by the Governor to return herewith: House Joint Resolution(s) No(s). 12, 22, 23, 24, 25, 26, 28, and 30; with his approval.

HARDY MAYS. Counsel to the Governor.

# ENROLLED BILLS February 15, 1995

The following bill(s) have been compared, enrolled, and are ready for the signature(s) of the Speaker(s): House Joint Resolution(s) No(s). 73.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

# SIGNED February 15, 1995

The Speaker signed the following: House Joint Resolution(s) No(s). 73  $\phantom{\Big|}$ 

BETTY KAY FRANCIS. Chief Engrossing Clerk.

# MESSAGE FROM THE SENATE February 15, 1995

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 26, 41, 49, and 52; all passed by the Senate. CLYDE W. McCULLOUH, JR., Chief Clerk.

\*Senate Bill No. 26 -- Hospitals and Health Care Facilities --Requires nonresidential methadone treatment facility to obtain certificate of need. Amends TCA Title 68, Chapter 11, Part 1. by \*Holcomb, Wallace. Crowe.

\*Senate Bill No. 41 -- Traffic Safety -- Creates offense of transporting child under age of 12 in back of pick-up truck, except in parades or for agricultural purposes; offense is Class C misdemeanor. Amends TCA Title 55, Chapter 8, Part 1. by \*Cooper.

\*Senate Bill No. 49 -- Motor Vehicles, Titling and Registration -- Allows for issuance of special license plates depicting Tennessee walking horse. Amends TCA Title 55, Chapter 4. by \*Womack, \*Kyle.

\*Senate Bill No. 52 -- Motor Vehicles, Titling and Registration
-- Permits alumnus of Auburn University to purchase special license
plate displaying Auburn logo and colors. Amends TCA Title 55, Chapter
4. by \*Momack.

# MESSAGE FROM THE SENATE February 15, 1995

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 46, 47, 49, 50 and 52; all adopted for concurrence

CLYDE W. McCULLOUGH. JR., Chief Clerk.

Senate Joint Resolution No. 46 -- Memorials, Public Service -- Grace Ford; 40 years of volunteer service, Clarksville Memorial Hospital. by \*Rice.

Senate Joint Resolution No. 47 -- Memorials, Retirement --Henry Shelby, Tennessee Teth University, Director of Campus Development. by \*Burks, \*Kyle.

Senate Joint Resolution No. 49 -- General Assembly, Adjournment, Recess -- Provides for adjournment of 99th General Assembly on March 30, 1995. by \*Burks

Senate Joint Resolution No. 50 -- Memorials, Professional Achievement -- Nolan R. Turner, recipient of Distinguished Agriculture Alumnus Award. by \*Burks, \*Kyle.

Senate Joint Resolution No. 52 -- Memorials, Congratulations -- David Gregory, Chief of Staff for Lt. Governor. by McNally, \*Atchley, \*Burks, \*Carter, \*Cohen, \*Cooper, \*Crowe, \*Crutchfield, \*Dixon, \*Disea, \*Ford J, \*Fowler, \*Gilbert, \*Hamilton, \*Harper, \*Haun, \*Haynes, \*Henry, \*Holcomb, \*Jordan, \*Koella, \*Kyle, \*Leatherwood, \*Wilder, \*Monack, \*Writcheon, \*Rice, \*Rochelle, \*Springer, \*Mallace, \*Wilder, \*Monack, \*Writcheon, \*Rice, \*Rochelle, \*Springer, \*Mallace, \*Monack, \*Writcheon, \*Rice, \*Rochelle, \*Springer, \*Monack, \*Writcheon, \*Rice, \*Monack, \*Writcheon, \*Rice, \*Monack, \*Writcheon, \*Rice, \*Monack, \*Writcheon, \*Rice, \*Rochelle, \*Springer, \*Monack, \*Writcheon, \*Rice, \*Rochelle, \*Rochelle, \*Rochelle, \*Writcheon, \*Rochelle, \*Writcheon, \*Rochelle, \*Writcheon, \*Rochelle, \*

# ROLL CALL

The well sell use taken with the fellowing results.

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 			99					

Representatives present were: Armstrong, Arriola, Beavers, Bell, Bird, Bittle, Bowers, Boyer, Bragg, Srooks, Broom, Buck, Burchett, Byrd, Callicott, Cantrell, Chumney, Clabugh, Coffey, Cole (Carterl, Cole (Dyer), Cross, Curtiss, Davidson, Davis, Deberry J, Deberry L, Duer, Dunn, Eckles, Fitzhugh, Ford, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteam, Harvell, Hargrove, Hassell, Head, Herron, Hicks, Huskey, Jackson, Jones R (Shelby), Jones S, Jones U (Shelby), Joyce, Kent, Kernell, Kerr, Kisber, Langster, Levis, McChee, McDaniel, McDonald, McKee, McMillan, Miller, Napier, Newton, Odom, Patton, Peach, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Roach, Robinson, Sharp, Shirley, Stamps, Stulce, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Venable, Malley, West, West, McSelmsham, Milliams (Union), Milliams (Union), Midle, Minnipam, Mood, Mr. Speaker Naifeh

#### RECESS MOTION

On motion of Rep. Purcell, the House recessed until  $\,$  9:00 a.m. Thursday, February 16, 1995.